

EXHIBIT 1

HIGHLY CONFIDENTIAL - AL-KOFAHI

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

THOMSON REUTERS ENTERPRISE
CENTRE GMBH AND WEST C.A. No.
PUBLISHING CORPORATION,

Plaintiffs/Counterdefendants,

vs.

ROSS INTELLIGENCE INC.,

Defendants/Counterclaimant.

HIGHLY CONFIDENTIAL

VIDEOTAPED DEPOSITION OF KHALID AL-KOFAHI

FRIDAY, APRIL 8, 2022

REGUS

90 CANAL STREET, 4TH FLOOR

BOSTON, MA 02114

Reported by: Teri C. Gibson, CSR, RPR, CCR

Job #: 208933

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HIGHLY CONFIDENTIAL - AL-KOFAHI

A horizontal bar chart consisting of 20 black bars. The bars are arranged vertically, with their lengths representing a distribution of data. The longest bar is at the 5th position from the top, extending to 100% of the chart's width. Other bars of significant length are at positions 1, 2, 3, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20. The shortest bar is at position 10, extending to approximately 10% of the width. The bars are evenly spaced, with a consistent gap between each one.

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HIGHLY CONFIDENTIAL - AL-KOFAHI

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HIGHLY CONFIDENTIAL - AL-KOFAHI

A horizontal bar chart consisting of 20 solid black bars. The bars are arranged vertically, with their lengths varying significantly. The longest bars are at the top and bottom of the chart, while the shortest bar is located near the center. The bars represent a distribution of data, with the majority of the values being high, and a few outliers being lower.

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EXHIBIT 2

VOLUME 1
PAGES: 1-311
EXHIBITS: See Index

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

THOMSON REUTERS ENTERPRISE
CENTRE GMBH and WEST
PUBLISHING CORPORATION,

Plaintiffs and
Counterdefendants,

v.

ROSS INTELLIGENCE, INC.,

Defendant and
Counterclaimant.

C.A. No. 20-613 (LPS)

HIGHLY CONFIDENTIAL

VIDEOTAPED DEPOSITION of ANDREW ARRUDA

- CONDUCTED BY VIDEOCONFERENCE -

Wednesday, March 30, 2022

9:06 a.m. Pacific Daylight Time

Michelle Keegan, RMR, CRR

Lexitas

508-478-9795 ~ 508-478.0595 (Fax)

www.LexitasLegal.com

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EXHIBIT 3

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

THOMSON REUTERS ENTERPRISE
CENTRE GMBH and WEST
PUBLISHING CORPORATION,

Plaintiffs,

vs.

ROSS INTELLIGENCE, INC.,

Defendant.

Case Number:

Confidential Video Deposition of

LUTHER KARL BRANTING, Ph.D.

Wednesday, October 19, 2022

9:01 a.m.

Job No. 836111

Reported by: Laurie Donovan, RPR, CRR, CLR

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A horizontal bar chart consisting of 20 solid black bars. The bars are arranged vertically, with their lengths varying significantly. The longest bar is the 10th from the top, extending almost to the right edge of the image. The shortest bars are the 1st and 20th, which are very short. The bars are distributed across the vertical space, with a higher density of bars in the middle section. The bars are all black and have a uniform thickness. There are no labels, titles, or axes visible on the chart.

A horizontal bar chart consisting of 20 black bars. The bars are arranged in a single column, with the longest bars in the middle and the shortest at the top and bottom. The bars represent a distribution of data, with the longest bars reaching approximately 95% of the width and the shortest bars reaching approximately 10% of the width.

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A horizontal bar chart consisting of 20 black bars. The bars are arranged vertically, with the longest bar at the top and the shortest bar at the bottom. The lengths of the bars vary significantly, representing a distribution of data. The bars are all of the same color (black) and are set against a white background.

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A horizontal bar chart consisting of 20 black bars of varying lengths. The bars are arranged in a single column, with the longest bar in the middle and the shortest at the top and bottom. The lengths of the bars represent a distribution of data, with the longest bar in the middle and the shortest at the top and bottom.

A horizontal bar chart consisting of 20 black bars of varying lengths. The bars are arranged vertically, with the longest bar at the top and the shortest bar at the bottom. The lengths of the bars vary significantly, with some being nearly full-width and others being very short. The bars are arranged in a single column, with the longest bar at the top and the shortest bar at the bottom. The lengths of the bars vary significantly, with some being nearly full-width and others being very short.

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5 THE VIDEOGRAPHER: We're going off

6 the record at 4:35 p.m.

7 (Signature having not been

8 waived, the confidential video

9 deposition of LUTHER KARL BRANTING,

10 Ph.D. was concluded at 4:35 p.m.)

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EXHIBIT 4

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF DELAWARE

3 THOMSON REUTERS ENTERPRISE CENTRE §
4 GMBH and WEST PUBLISHING §
5 CORPORATION, §

6 Plaintiffs/Counterdefendants, §

7 vs. §

8 ROSS INTELLIGENCE, INC., §

9 Defendant/Counterclaimant, §

C.A. No. 20-613-SB

10 HIGHLY CONFIDENTIAL

11 PURSUANT TO PROTECTIVE ORDER

12 VIDEO-RECORDED ORAL DEPOSITION OF

13 CHRISTOPHER CAHN

14 AS CORPORATE REPRESENTATIVE OF

15 MORAE GLOBAL CORPORATION

16 Houston, Texas

17 Thursday, May 12, 2022

18 (REPORTED REMOTELY)

19 REPORTED BY:

20 Linda Russell, CSR

21 JOB NO: 210749

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EXHIBIT 5

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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

C.A. No. 20-613(LPS)

IN RE MATTER OF:

THOMSON REUTERS ENTERPRISE

CENTRE GMBH and WEST PUBLISHING

CORPORATION,

Plaintiffs and Counterdefendants

-vs-

ROSS INTELLIGENCE INC.,

Defendant and Counterclaimant.

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

REMOTE TESTIMONY OF ALAN COX

NOVEMBER 2, 2022 - 8:30 A.M. PDT

JOB NO. 2022-866214

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Government	Percentage
Current government	85%
Previous government	15%

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A horizontal bar chart consisting of 20 rows. Each row contains a single black bar. The bars vary in length, with the longest bar in the 14th row and the shortest in the 1st row. The bars are arranged in a single column, with the longest bar in the 14th row and the shortest in the 1st row.

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EXHIBIT 6

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

THOMSON REUTERS ENTERPRISE)
CENTRE GMBH and WEST)
PUBLISHING CORPORATION,)
Plaintiffs,)
vs.) No. 1:20-cv-00613-UNA
ROSS INTELLIGENCE INC.,)
Defendant.)
_____)

VIDEO-RECORDED DEPOSITION OF
BARBARA FREDERIKSEN-CROSS, at Regus Center,
1050 SW Sixth Avenue, Suite 1100, Portland,
Oregon, commencing at 9:21 a.m. PST, on
Friday, November 11, 2022, before
Marla Sharp, RPR, CLR, CCRR, CA CSR 11924,
OR CSR 17-0446, WA CSR 3408.

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EXHIBIT 7

HIGHLY CONFIDENTIAL
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

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IN RE MATTER OF:)
)
THOMSON REUTERS) C.A. No. 20-613(LPS)
ENTERPRISE CENTRE GMBH)
and WEST PUBLISHING)
CORPORATION,)
)
Plaintiffs and)
Counterdefendants,)
)
VS.)
)
ROSS INTELLIGENCE,)
INC.,)
)
Defendant and)
Counterclaimant.)
)

ORAL AND VIDEOTAPED DEPOSITION
OF
TARIQ HAFEEZ
MAY 26, 2022

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EXHIBIT 8

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF DELAWARE

3 C.A. No. 20-613(LPS)

4

5 -----

6 IN RE MATTER OF:

7 THOMSON REUTERS ENTERPRISE

8 CENTRE GMBH and WEST PUBLISHING

9 CORPORATION,

10 Plaintiffs and Counterdefendants

11 -vs-

12 ROSS INTELLIGENCE INC.,

13 Defendant and Counterclaimant.

14 -----

15

16

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18 HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

19 REMOTE TESTIMONY OF RICHARD A. LEITER

20 October 24, 2022 - 11 A.M. CDT

21

22

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24 JOB NO. 2022-866213

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EXHIBIT 9

HIGHLY CONFIDENTIAL

1 UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF DELAWARE

3
4 THOMSON REUTERS ENTERPRISE

5 CENTRE GMBH and WEST PUBLISHING

6 CORPORATION,

7 Plaintiffs/Counterdefendants,

8 vs.

Case No.

9 ROSS INTELLIGENCE INC.,

C.A. No. 20-613-LPS

10 Defendant/Counterclaimant.

11
12 ** HIGHLY CONFIDENTIAL **

13
14 VIDEOTAPED DEPOSITION OF ERIK LINDBERG

15 Tuesday, March 22, 2022

16 9:00 a.m. (Central)

17
18 PLACE: Veritext Legal Solutions

19 150 South Fifth Street

20 Suite 1775

21 Minneapolis, Minnesota

22
23 Reported By:

24 Christine K. Herman, RPR, CRR

25 JOB No. 5129633

Page 1

Page 70

Page 71

[illegible]

Page 74

Page 75

Page 76

Page 78

Page 116

Page 117

Page 118

Page 119

EXHIBIT 10

J. MALACKOWSKI - HIGHLY CONFIDENTIAL
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

THOMSOM REUTERS ENTERPRISE CENTRE)
GMBH and WEST PUBLISHING)
CORPORATION,) C.A. No. 20-613-SB
Plaintiffs/Counterdefendants,)
vs.)
ROSS INTELLIGENCE, INC.,)
Defendant/Counterclaimant.)
-----)

* * *HIGHLY CONFIDENTIAL* * *

REMOTE VIDEOTAPED DEPOSITION OF JAMES MALACKOWSKI

November 4, 2022

Reported by:

KATHY S. KLEPFER, RMR, RPR, CRR, CLR

JOB NO. 218479

1

J. MALACKOWSKI - HIGHLY CONFIDENTIAL

© 2006 The Authors

1

J. MALACKOWSKI - HIGHLY CONFIDENTIAL

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J. MALACKOWSKI - HIGHLY CONFIDENTIAL

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EXHIBIT 11

HIGHLY CONFIDENTIAL

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3 U N I T E D S T A T E S D I S T R I C T C O U R T
4 F O R T H E D I S T R I C T O F D E L A W A R E
5 ----- X

THOMSON REUTERS ENTERPRISE
6 C E N T E R G M B H a n d W E S T P U B L I S H I N G
C O R P O R A T I O N ,

7

Plaintiffs/
8 Counterdefendants,
9 vs. C.A. No.
20-613-LPS

10 R O S S I N T E L L I G E N C E I N C . ,
11 Defendant/
Counterplaintiff.

12 ----- X
March 25, 2022
13 12:02 p.m.

14 A F T E R N O O N S E S S I O N O F H I G H L Y
15 C O N F I D E N T I A L A T T O R N E Y S ' E Y E S O N L Y 30(b)(6)
16 d e p o s i t i o n o f W E S T P U B L I S H I N G C O R P O R A T I O N ,
17 b y i t s r e p r e s e n t a t i v e A N D R E W M A R T E N S , h e l d
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19 M a d i s o n A v e n u e , N e w Y o r k , N e w Y o r k , p u r s u a n t
20 t o N o t i c e , b e f o r e T h e r e s a T r a m o n d o , A O S ,
21 C L R , a N o t a r y P u b l i c o f t h e S t a t e o f N e w
22 Y o r k .

23 R e p o r t e d b y :
24 T H E R E S A T R A M O N D O , A O S , C L R
25 J O B N O . S F 5 1 2 9 6 2 8 - B

Page 162

HIGHLY CONFIDENTIAL

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Page 203

HIGHLY CONFIDENTIAL

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Page 274

EXHIBIT 12

HIGHLY CONFIDENTIAL

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

THOMSON REUTERS ENTERPRISE

CENTRE GMBH and WEST

PUBLISHING CORPORATION,

Plaintiffs,

vs.

C.A. NO. 20-613-LPS

ROSS INTELLIGENCE INC.,

Defendant.

VIDEOTAPED VIDEOCONFERENCE DEPOSITION OF
ISABELLE MOULINIER, 30(b)(6) REPRESENTATIVE FOR

THOMSON REUTERS ENTERPRISE CENTRE GMBH

HIGHLY CONFIDENTIAL

DATE: July 1, 2022

TIME: 9:07 a.m.

PLACE: 150 South Fifth Street, Suite 1775
Minneapolis, MN 55402

JOB NO.: SF 5264242

REPORTED BY: Dawn Workman Bounds, CSR

Page 1

Page 72

Page 73

Page 74

Page 104

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EXHIBIT 13

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF DELAWARE

4

6 CENTRE GMBH and WEST)

7 PUBLISHING CORPORATION,)

8 Plaintiffs and) C.A. No. 20-613

9 Counterdefendants) (LPS)

10 v.)

11 ROSS INTELLIGENCE, INC.,) HIGHLY CONFIDENTIAL

12 Defendant and)

13 Counterclaimant.)

14 _____)

15

16

17 --- This is the transcript of the videotaped
18 Deposition of, JIMOH OVBIAGELE, taken at the
19 offices of Regus - Toronto Airport Corporate
20 Centre, Mississauga, Ontario, Canada, on the
21 12th day of April, 2022.

22 -----

23

24 REPORTED BY: Helen Martineau, CSR

25 VIDEOGRAPHER: Bruno Silva

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A horizontal bar chart consisting of 20 black bars of varying lengths. The bars are arranged vertically, with the longest bar at the bottom and the shortest at the top. The lengths of the bars represent a distribution of data, with most bars falling between the 25% and 75% marks on a 100% scale. The bars are arranged in a single column, with the longest bar at the bottom and the shortest at the top. The lengths of the bars represent a distribution of data, with most bars falling between the 25% and 75% marks on a 100% scale.

EXHIBIT 14

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

IN RE MATTER OF:)
)
THOMSON REUTERS ENTERPRISE)
CENTRE GMBH and WEST)
PUBLISHING CORPORATION,)
)
Plaintiffs and)
Counterdefendants,)
)
vs.) C.A. No. 20-613(LPS)
)
ROSS INTELLIGENCE INC.,)
)
Defendant and)
Counterclaimant.)
)

HIGHLY CONFIDENTIAL - ATTORNEYS EYES ONLY

VIDEOTAPED DEPOSITION OF SEAN O. SHAFIK

LOS ANGELES, CALIFORNIA

Friday, April 22, 2022

Stenographically Reported by:

HEATHER J. BAUTISTA, CSR, CRR, RPR, CLR
Realtime Systems Administrator
California CSR License #11600
Oregon CSR License #21-0005
Washington License #21009491
Nevada CCR License #980
Texas CSR License #10725

Job No.: 2022-836111

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EXHIBIT 15

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

THOMSON REUTERS ENTERPRISE)
CENTRE GMBH and WEST)
PUBLISHING CORPORATION,)

Plaintiffs and)
Counterdefendants,)

vs.)

C.A. No. 20-613 (LPS)

ROSS INTELLIGENCE, INC.,)
Defendant and)
Counterplaintiff.)

HIGHLY CONFIDENTIAL

VIDEOTAPED 30(b)(6) DEPOSITION OF DEFENDANT,

by and through its corporate designee

TOMAS VAN DER HEIJDEN,

(also in his individual capacity)

London, England, United Kingdom

Thursday, March 17, 2022

Pages: Pages 1 - 443

Reported stenographically by:

LEAH M. WILLERSDORF, RPR-CRR-FBIVR-ACR-QRR2-CLR

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387

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

EXHIBIT 16

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF DELAWARE

3
4 THOMSON REUTERS ENTERPRISE
5 CENTRE GMBH and WEST PUBLISHING
6 CORPORATION,

7 Plaintiffs/Counterdefendants,

8
9 vs. C.A. No. 20-613-LPS

10
11 ROSS INTELLIGENCE, INC.,
12 Defendant/Counterclaimant.
13 _____

14
15 HIGHLY CONFIDENTIAL
16 PURSUANT TO PROTECTIVE ORDER

17
18 VIDEOTAPED AND VIDEOCONFERENCE
19 DEPOSITION OF TERI WHITEHEAD

20
21 Monday, April 18, 2022
22

23 Reported by:

24 Denise M. Kizy, RPR, CRR, CSR-2466

25 JOB NO. 208941

1

TERI WHITEHEAD

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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EXHIBIT 17

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

THOMSON REUTERS ENTERPRISE
CENTRE GMBH and WEST PUBLISHING
CORPORATION,

Plaintiffs,
v.

ROSS INTELLIGENCE INC.,
Defendant.

1:20-cv-00613-SB

**CONFIDENTIAL, HIGHLY
CONFIDENTIAL – ATTORNEYS’ EYES
ONLY**

**REPORT OF DEFENDANTS’ EXPERT
L. KARL BRANTING, J.D., Ph.D.**

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II. QUALIFICATIONS 1

III. CONFIDENTIALITY 3

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FROM THOMSON REUTERS’ METHODOLOGIES..... 26**

IX. GLOSSARY 29

I. INTRODUCTION

1. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

2. [REDACTED]

[REDACTED]

[REDACTED]

II. QUALIFICATIONS

3. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

4. [REDACTED]

[REDACTED]

[REDACTED]

¹ See Exhibit 1 (Curriculum Vitae of L. Karl Branting).

² See *id.*

³ See *id.*

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

5. [REDACTED]

[REDACTED]

[REDACTED]

6. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

7. [REDACTED]

[REDACTED]

8. [REDACTED]

⁴ See Exhibit 2 (Branting, L. Karl. Reasoning with Rules and Precedents, SpringerLink, 2000).

⁵ See Exhibit 1.

⁶ See Exhibit 3 (Plaintiffs' Second Supplemental Response to ROSS' Interrogatory No. 1).

⁷ See Exhibit 4 (Sealed Order, signed by Judge Stephanos Bibas, dated July 25, 2022).

[REDACTED]

[REDACTED]

III. CONFIDENTIALITY

9. [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

IV. INFORMATION CONSIDERED

10. [REDACTED]

[REDACTED]

[REDACTED]

11. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

12. [REDACTED]

[REDACTED]

⁸ See Exhibit 5 (Stipulated Protective Order, dated May 21, 2021 (ECF No. 48)).

V. SUMMARY OF OPINIONS

13. [REDACTED]

[REDACTED]

[REDACTED]

14. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

15. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

16. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁹ See e.g., Exhibit 8 (ROSS-003419433).

¹⁰ See e.g., Exhibit 9 (ROSS-003427517).

¹¹ See e.g., Exhibit 10 (ROSS-003419595).

¹² See e.g., Exhibit 11 (ROSS-000000001).

¹³ See e.g., Exhibit 12 (ROSS-000236085).

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

17. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

18. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

19. [REDACTED]

[REDACTED]

¹⁴ See *id.*; see also *e.g.*, Exhibit 13 (Morae Deposition Transcript, at 220:8-225:11).

¹⁵ See *e.g.*, Exhibit 7 [REDACTED].

¹⁶ See *e.g.*, *id.* [REDACTED].

¹⁷ Correspondence with Maxim Isakov, July 26, 2022.

¹⁸ See *e.g.*, Exhibit 7 ([REDACTED]).

¹⁹ See *id.*

²⁰ Correspondence with Maxim Isakov, July 26, 2022.

[REDACTED]

[REDACTED]

20. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

21. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

²¹ Correspondence with Maxim Isakov, July 26, 2022; *see also e.g.*, Exhibit 7 [REDACTED]
[REDACTED]

²² Correspondence with Maxim Isakov, July 26, 2022; *see also* Exhibit 29 (ROSS-010244504), Exhibit 30 (ROSS-010248941).

²³ *See generally* Exhibit 7.

²⁴ *See id.*

²⁵ *See id.*

²⁶ *See id.*

²⁷ *See e.g.*, Exhibit 14 (ROSS-023018193); *see also* Exhibit 15 (Arruda Deposition Transcript, at 83:9-15).

[REDACTED]

22. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

VI. DETAILS OF HOW ROSS OBTAINED TRAINING DATA

23. [REDACTED]

[REDACTED]

[REDACTED]

24. [REDACTED]

[REDACTED]

[REDACTED]

25. [REDACTED]

[REDACTED]

[REDACTED]

26. [REDACTED]

[REDACTED]

²⁸ See Exhibit 7 ([REDACTED])

²⁹ Compare Exhibits 9-11 with Exhibit 16 (Moulinier Deposition Transcript, at 76:18-19, 78:1-4)).

³⁰ See e.g., Exhibit 11 (ROSS-000000001).

³¹ See e.g., *Id.*

[REDACTED]

27. [REDACTED]

[REDACTED]

28. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

29. [REDACTED]

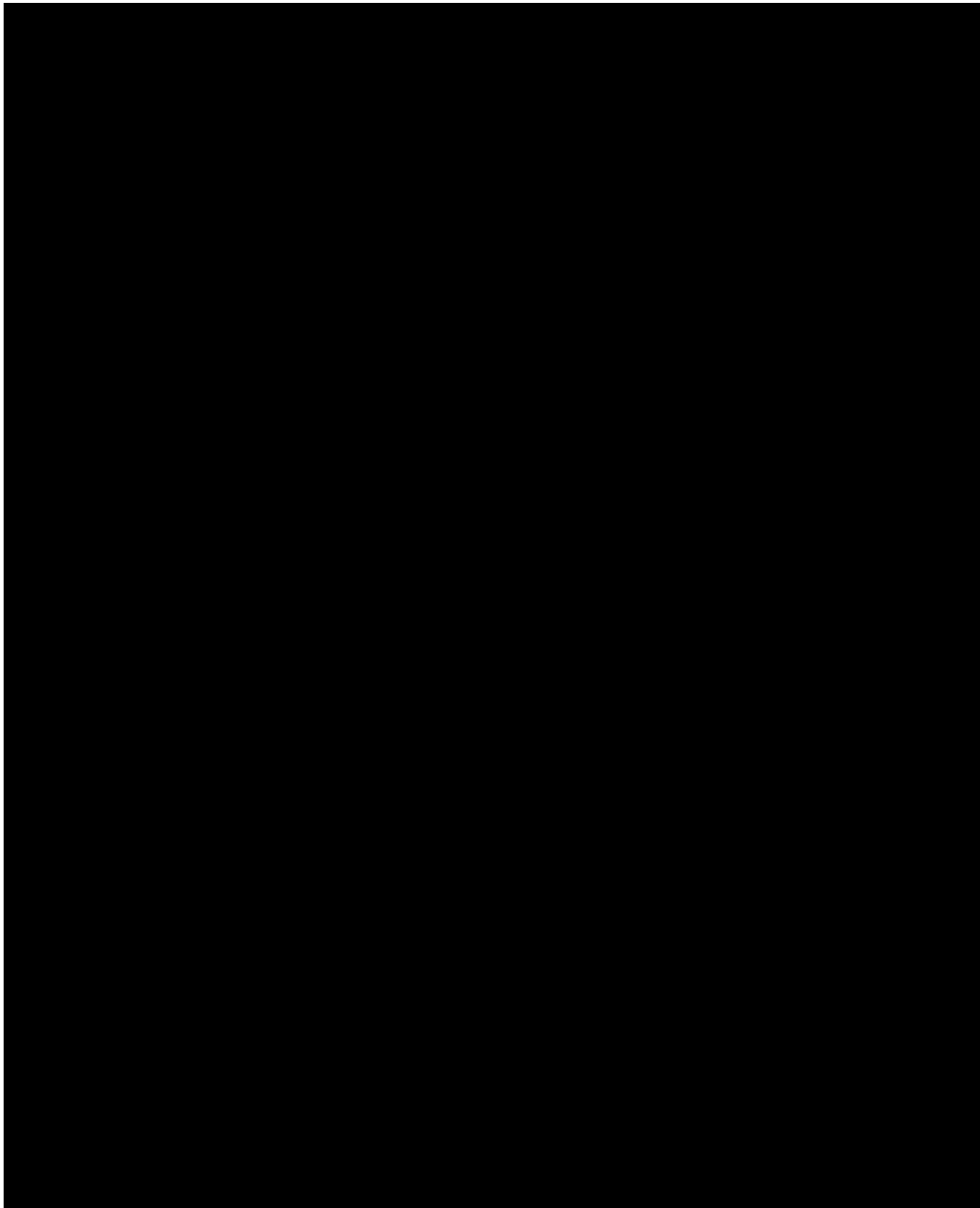
[REDACTED]

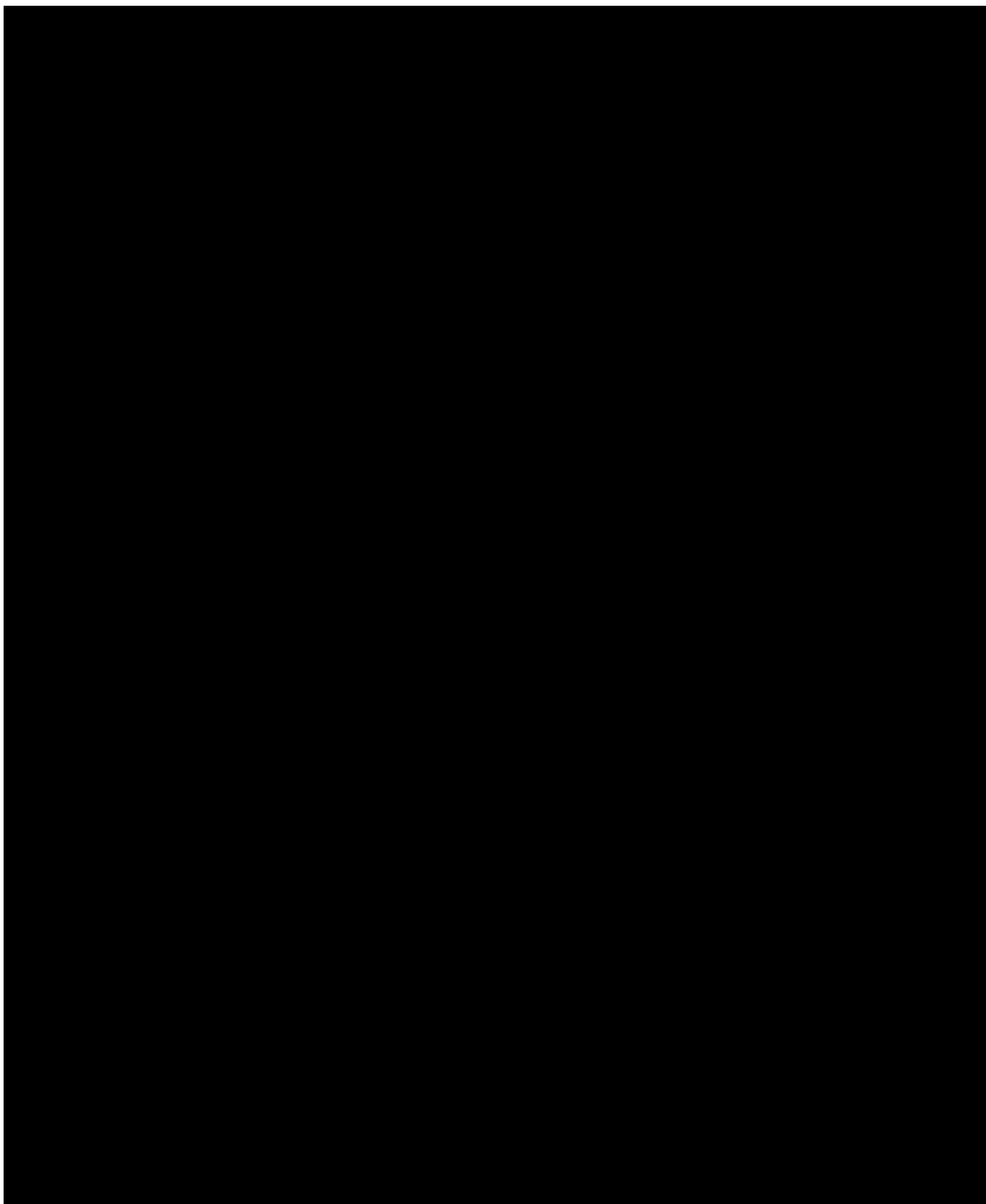
[REDACTED]

[REDACTED]

[REDACTED]

³² *See e.g., Id.*





[REDACTED]

31. [REDACTED]

32. [REDACTED]

33. [REDACTED]

³³ See Exhibit 7 [REDACTED]

³⁴ [REDACTED]

³⁵ See Exhibit 7 [REDACTED] *id.* [REDACTED]; see *id.* [REDACTED]

³⁶ See *id.* [REDACTED]).

³⁷ See Exhibit 12 (ROSS-000236085).

[REDACTED]

34. [REDACTED]

[REDACTED]

[REDACTED]

35. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

36. [REDACTED]

[REDACTED]

[REDACTED]

³⁸ Correspondence with Maxim Isakov, July 26, 2022.

³⁹ As stated above, [REDACTED]

[REDACTED]

[REDACTED]. *See e.g.*, Exhibits 14, 15.

⁴⁰ See Exhibit 7 [REDACTED]

⁴¹ *See id.* [REDACTED]

[REDACTED]

⁴² *See id.* [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

37. [REDACTED]

[REDACTED]

[REDACTED]

38. [REDACTED]

[REDACTED]

VII. DETAILS OF THE ROSS SEARCH PLATFORM

39. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

40. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

41. [REDACTED]

⁴³ Correspondence with Maxim Isakov, July 26, 2022.

⁴⁴ *See id.* ([REDACTED])

⁴⁵ *See* Exhibit 17 (ROSS-009624376).

⁴⁶ *See* Exhibit 7 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

42. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

43. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁴⁷ See *id.* [REDACTED]
[REDACTED]
[REDACTED].

⁴⁸ See *id.*

⁴⁹ See *id.* [REDACTED]

⁵⁰ See *id.* [REDACTED]
[REDACTED]

[REDACTED]

44. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

45. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

46. [REDACTED]

⁵¹ See *id.* [REDACTED]

⁵² See *infra.*

⁵³ See Exhibit 7 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

47. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

48. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁵⁴ See Exhibit 19 (Christopher J. C. Burges, *From RankNet to LambdaRank to LambdaMART: An overview*, MSR-TR-2010-82 (June 2010), <https://www.microsoft.com/en-us/research/wp-content/uploads/2016/02/MSR-TR-2010-82.pdf>).

⁵⁵ See Exhibit 7 [REDACTED]

⁵⁶ See Glossary, *infra*.

[REDACTED]

49. [REDACTED]

50.

[REDACTED]

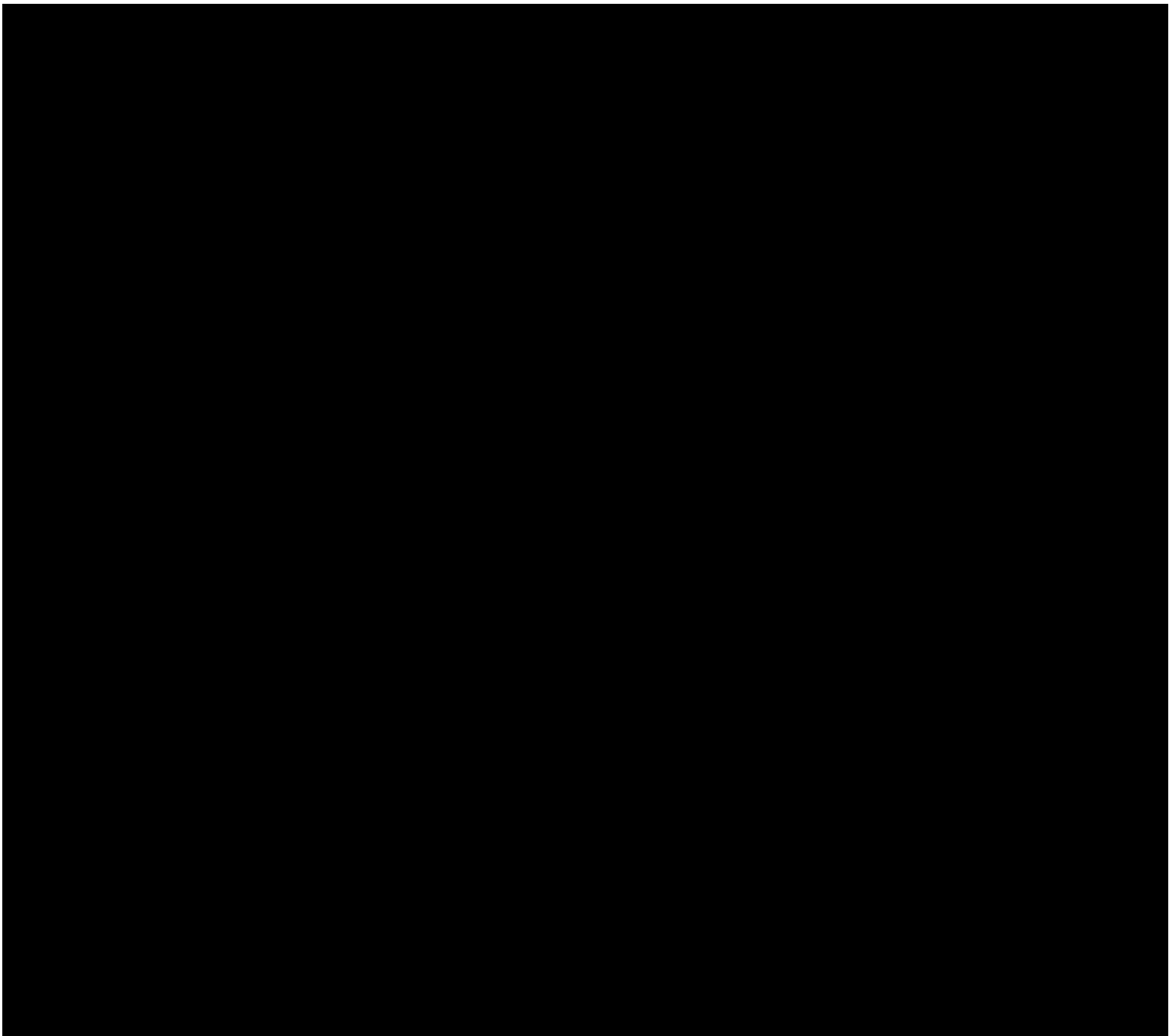
⁵⁷ *Id.*

⁵⁸ See Exhibit 7 [REDACTED]

⁵⁹ SpaCy is an open-source Python software library for natural language processing. See <https://spacy.io>.

⁶⁰ NLTK is also an open-source Python software library for natural language processing. See <https://www.nltk.org/>.

⁶¹ In “features.py” the following features are found at lines: [REDACTED]



⁶² [REDACTED]

⁶³ See Exhibit 26 (Bhaskar Mitra, Eric Nalisnick, Nick Craswell & Rich Caruana, *A Dual Embedding Space Model for Document Ranking*, Feb. 2, 2016, <https://doi.org/10.48550/arXiv.1602.01137>).

■ [REDACTED]

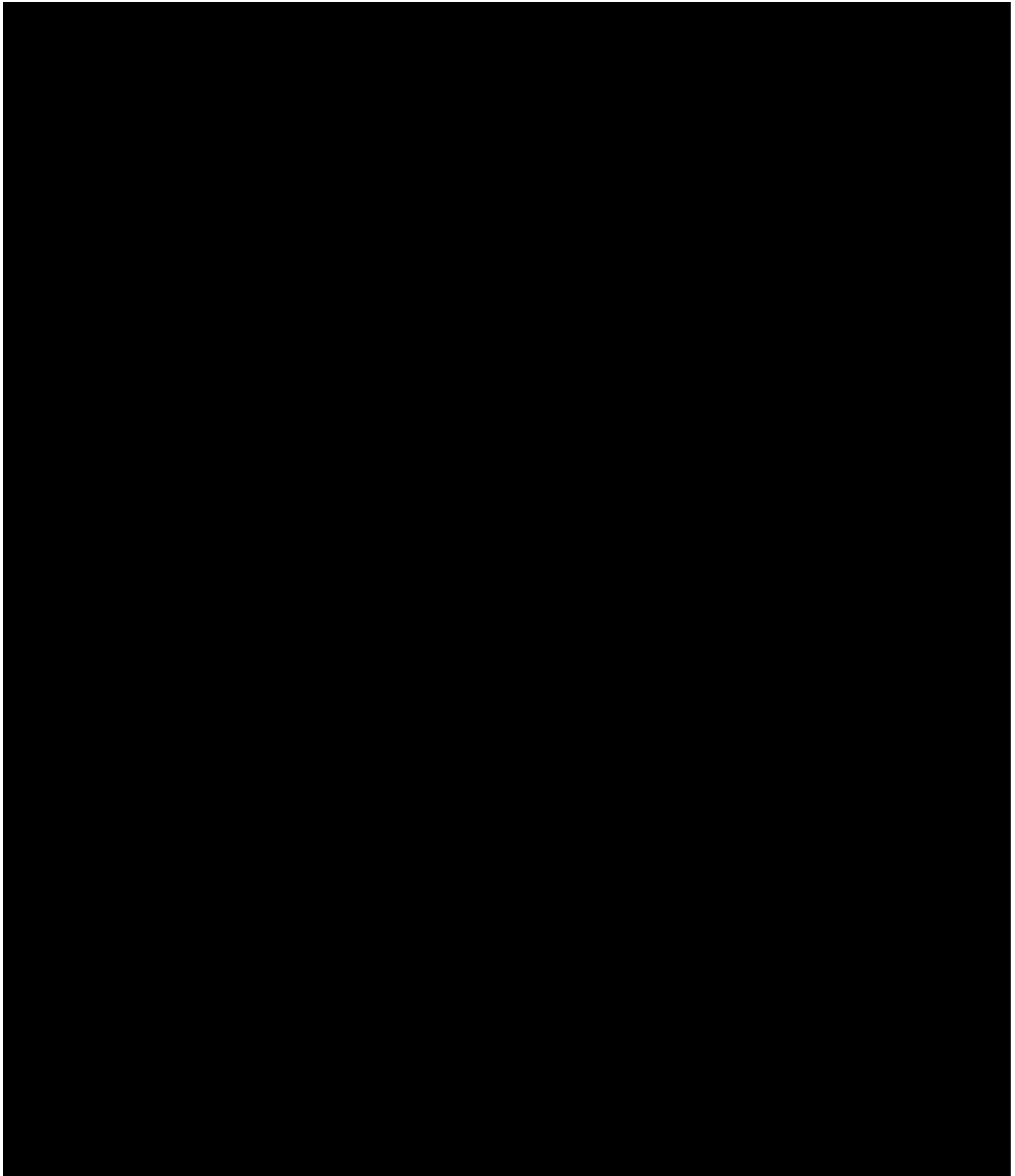
■ [REDACTED]

⁶⁶ See `ESA-master/src/java/clldsystem/esa/ESAAalyzer.java`.

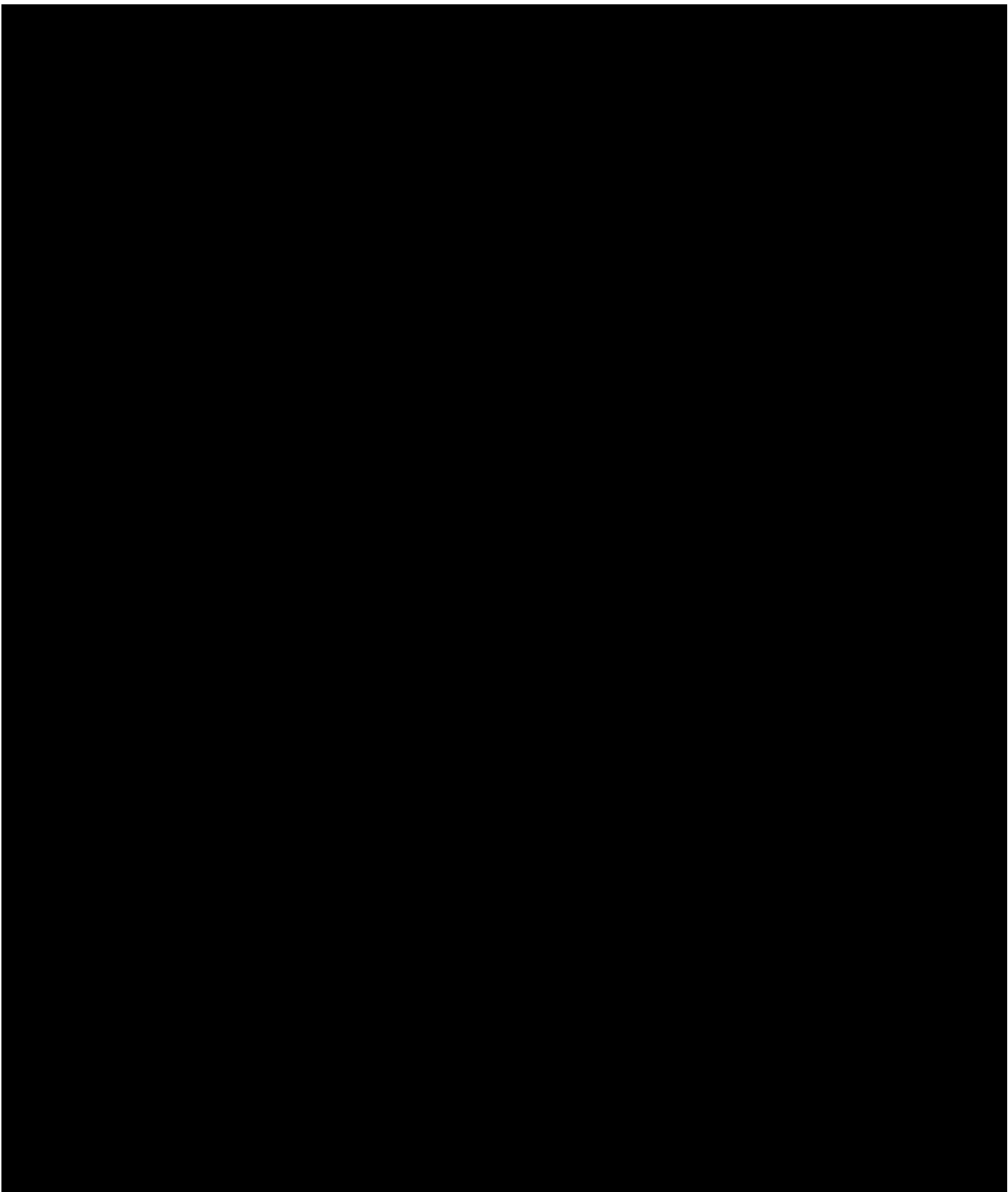
⁶⁷ See Stanford Core NLP, <https://stanfordnlp.github.io/CoreNLP/>, used in (i.e., imported into) all files in the Legal-Cognition-Master `src/main/groovy/legalCognition/entityrelationaldetection/detectors/` directory.

⁶⁸ See Legal-Cognition-Master `src/main/groovy/legalCognition/finalscorers/FinalScorer.groovy`.

⁶⁹ See Exhibit 27 (Tao Qin, Tie-Yan Liu, *Introducing LETOR 4.0 Datasets*, Microsoft Research Asia, <https://arxiv.org/ftp/arxiv/papers/1306/1306.2597.pdf>).



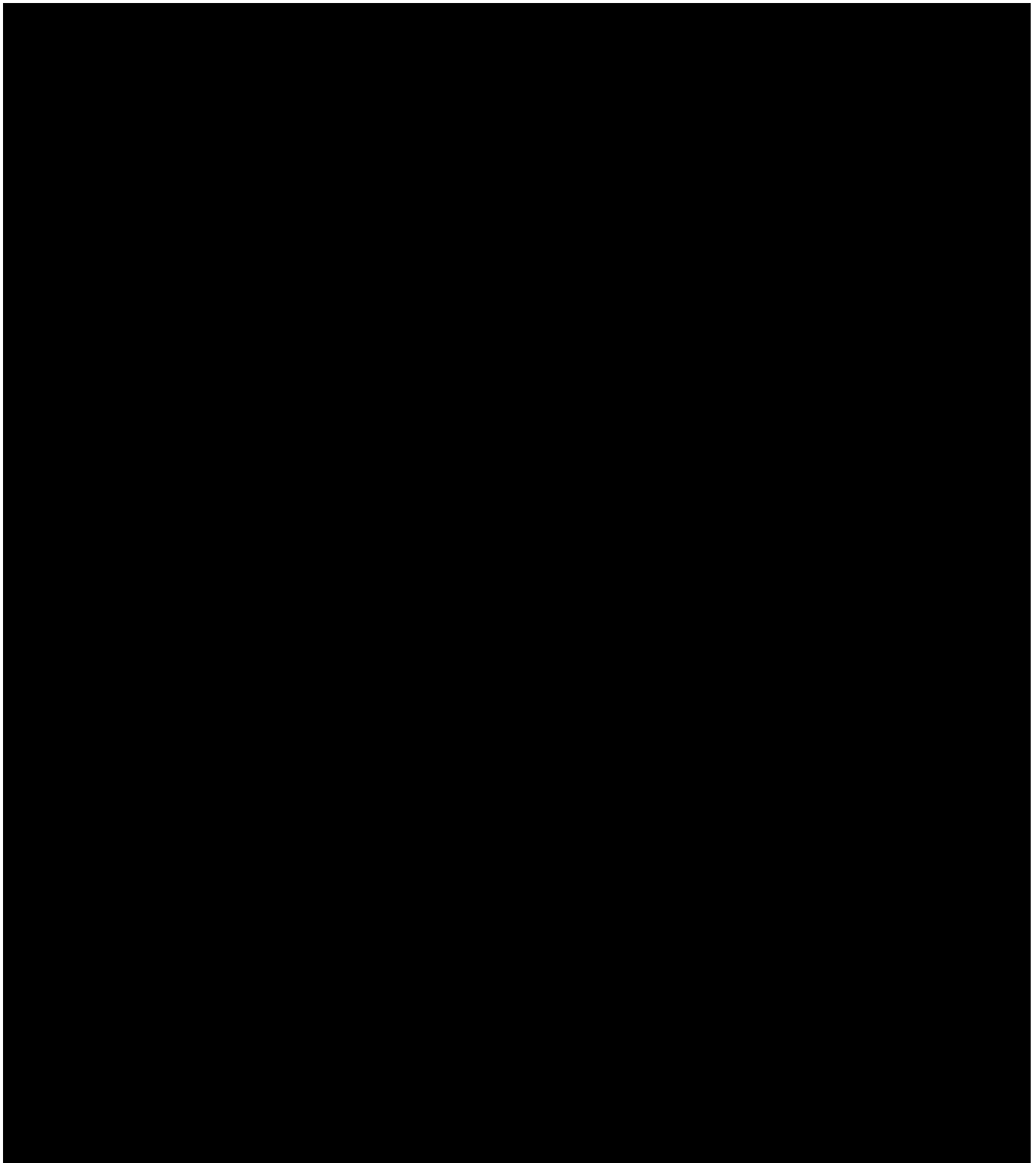
⁷⁰ See Exhibit 28 (Matt Taddy, *Document Classification by Inversion of Distributed Language Representations*, in Proceedings of the 53rd Annual Meeting of the Association for Computational Linguistics and the 7th International Joint Conference on Natural Language Processing, 45-49 (Volume 2: Short Papers, 2015)).



⁷¹ See Exhibit 7 [REDACTED]

⁷² See discussion of supervised vs. unsupervised learning, *infra*.

⁷³ See Exhibit 7 [REDACTED]



⁷⁴ See Exhibit 31 (J. W. Murdock, J. Fan, A. Lally, H. Shima and B. K. Boguraev, *Textual evidence gathering and analysis*, in 56 IBM J. Res. & Dev. (No. 3/4) at 8:1-8:14, (May/July 2012), doi: 10.1147/JRD.2012.2187249).

⁷⁵ See Exhibit 7 [REDACTED]

⁷⁶ See Exhibit 31, *supra* note 74.

51. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁷⁷ See Exhibit 32 (Matt Kusner, Yu Sun, Nicholas Kolkin, Kilian Weinberger, *From Word Embeddings To Document Distances*, Proceedings of the 32nd International Conference on Machine Learning, JMLR 37:957-966 (2015)).

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

52. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

53. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

54. [REDACTED]

[REDACTED]

⁷⁸ See Exhibit 19, *supra* note 54.

⁷⁹ See Exhibit 7; *see also* Exhibit 19, *supra* note 54 [REDACTED]

⁸⁰ See Exhibit 19, *supra* note 54.

⁸¹ See Exhibit 7 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

55. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

56. [REDACTED]

[REDACTED]

⁸² See *id.* All the code for the LambdaMART algorithm is in the RankLib library, which is an open source implementation; see Exhibit 7 [REDACTED]

⁸³ See Exhibit 19, *supra* note 54.

⁸⁴ *Id.*

⁸⁵ *Id.*

⁸⁶ Exhibit 7 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

57. [REDACTED]

[REDACTED]

[REDACTED]

58. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

VIII. ROSS SELECTED ITS OWN FEATURES AND DEVELOPED ITS OWN TRAINING AND SEARCH METHODOLOGIES THAT DIFFERED FROM THOMSON REUTERS' METHODOLOGIES

59. [REDACTED]

[REDACTED]

[REDACTED]

⁸⁷ See Exhibit 21 (TR-0884952).

[REDACTED]

[REDACTED]

60. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

61. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

62. [REDACTED]

[REDACTED]

[REDACTED]

⁸⁸ See Exhibit 22 (TR-0908443).

⁸⁹ See Exhibit 23 (Al-Kofahi Deposition Transcript); Exhibit 24 (Moulinier Deposition Transcript).

⁹⁰ See generally Exhibit 23; Exhibit 24.

⁹¹ See e.g., Exhibit 12.

[REDACTED]

[REDACTED]

63. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

64. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

⁹² Compare ¶ 47, *supra*, with Exhibit 24 (Moulinier Deposition Transcript, at 136:9-137:17 [REDACTED]
[REDACTED]; *id.* 138:14-139:2 [REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

65. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

IX. [REDACTED]

66. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

67. [REDACTED]

68. [REDACTED]

[REDACTED]

69. [REDACTED]

⁹³ Compare ¶ 47, *supra*, with Exhibit 21 (TR-0884952).

⁹⁴ Compare ¶¶ 49-53, *supra*, with Exhibit 24 (Moulinier Deposition Transcript, at 63:3-11; 92:14-24).

[REDACTED]

[REDACTED]

70. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

71. [REDACTED]

[REDACTED]

[REDACTED]

⁹⁵ See, for example, this public website: <https://www.solrtutorial.com/basic-solr-concepts.html>.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

72. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

73. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

74. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

75. [REDACTED]

[REDACTED]

[REDACTED]

76. [REDACTED]

[REDACTED]

[REDACTED]

77. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁹⁶ See Exhibit 25, Temple F. Smith & Michael S. Waterman, *Identification of Common Molecular Subsequences*, 147 J. Molecular Biology, 195–197. (1981).

[REDACTED]

[REDACTED]

78. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

79. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

80. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

81. [REDACTED]

[REDACTED]

82. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁹⁷ See Exhibit 33, (Tomas Mikolov, Ilya Sutskever, Kai Chen, Greg Corrado & Jeffrey Dean, *Distributed representations of words and phrases and their compositionality*, ArXiv:1310.4546 (Oct. 2013)).

83. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

84. [REDACTED]

[REDACTED]

85. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

86. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

87. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

88. [REDACTED]

[REDACTED]

89. [REDACTED]

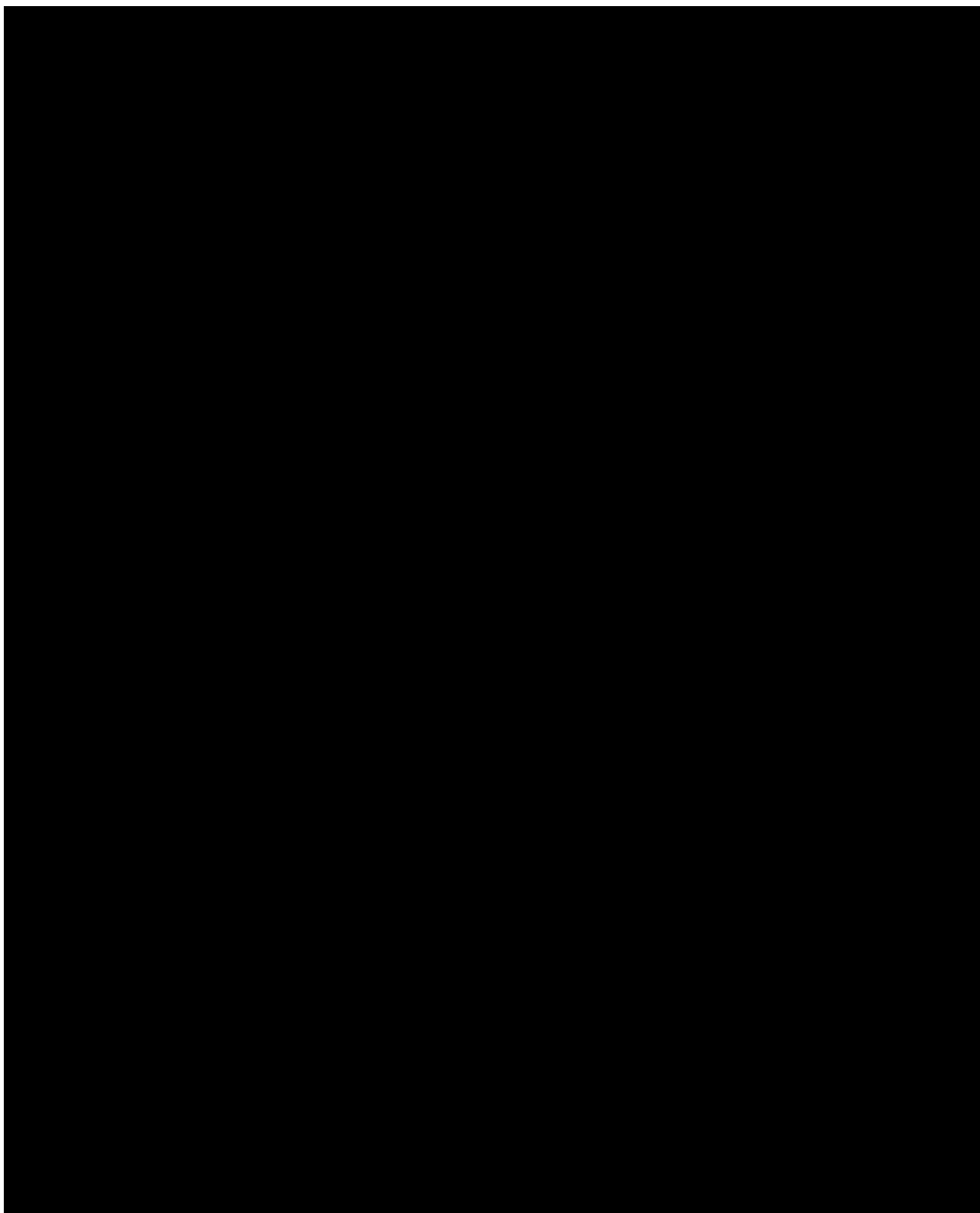
[REDACTED]

90. [REDACTED]

[REDACTED]

[REDACTED]

⁹⁸ See Exhibit 7 [REDACTED]



Luther Karl Branting
28 July 2022

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BRANTING EXPERT REPORT

CASE 1:20-cv-00613-SB

EXHIBIT 18

CONFIDENTIAL – ATTORNEYS’ EYES ONLY

**EXPERT REPORT
OF
ALAN J. COX, PH.D.**

In Connection with

*Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation, v. ROSS
Intelligence Inc.*

Case No. 20-613-SB

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

August 1, 2022

CONFIDENTIAL—ATTORNEYS’ EYES ONLY

NATIONAL ECONOMIC RESEARCH ASSOCIATES

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SAN FRANCISCO, CA 94111

TELEPHONE: 415.291.1000 FACSIMILE: 415.291.1020

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APPENDIX A. Resume of Alan J. Cox

APPENDIX B. Documents Reviewed

I. QUALIFICATIONS

1. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[illegible]

3. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[illegible]

HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY

5. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

6. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

7. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

8. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

9. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY

[REDACTED]

10. [REDACTED]
[REDACTED]
[REDACTED]

11. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] [REDACTED]
[REDACTED]
[REDACTED]

12. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

II. CONFIDENTIALITY

13. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

¹ Plaintiffs and Counterdefendants Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation’s Second Supplemental Response and Objections to Defendant and Counterclaimant ROSS Intelligence Inc.’s Interrogatory No. 1 (herein, “Second Supplemental Response to Interrogatory No. 1”.) [REDACTED]
[REDACTED]

² Sealed Order, signed by Judge Stephanos Bibas, dated July 25, 2022.

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[REDACTED]

III. ASSIGNMENT

14. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

15. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

16. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

³ Plaintiffs and Counterdefendants Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation’s Complaint (herein, “Complaint”), p. 11.

⁴ TR-0179838.

⁵ TR-0179885. Available at <https://www.youtube.com/watch?v=mX2WrYzigRc&list=PLC3F45184A96D112E&index=1> (accessed March 23, 2022.) The video describes the creation of headnotes for the US Supreme Court’s decision in *District of Columbia v. Heller*, on June 26, 2008. The video states that headnotes are composed by West employees.

⁶ TR-0179830; TR-0179838; TR-0179843. See also, TR-0044730; TR-0526552.

⁷ 17 U.S.C. § 107.

⁸ [REDACTED].

⁹ 17 U.S.C. § 107(4).

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[REDACTED]

17. [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

IV. SUMMARY OF OPINIONS

18. [REDACTED]
- [REDACTED]

I [REDACTED]

[REDACTED]

I [REDACTED]

[REDACTED]

[REDACTED]

I [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I [REDACTED]

[REDACTED]

[REDACTED]

HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED]

- [REDACTED]

- [REDACTED]

- [REDACTED]

HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY

- [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

V. FACTS AND DATA CONSIDERED IN FORMING MY OPINIONS

19. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

VI. THE PARTIES

A. WEST PUBLISHING CORPORATION AND THOMSON REUTERS ENTERPRISE CENTRE GMBH

20. [REDACTED]
[REDACTED]

¹⁰ Complaint, p. 3.

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[REDACTED]

21. [REDACTED]

B. ROSS INTELLIGENCE, INC.

22. [REDACTED]

¹¹ Exhibit 16 (Foster, Lynn, and Bruce Kennedy. "Technological Developments in Legal Research." J. App. Prac. & Process 2 (2000): 275, p. 277.)

¹² Exhibit 1 (Ambrogi, Robert, "Westlaw's Days Are Numbered," <https://www.lawnext.com/2015/05/westlaws-days-are-numbered.html> (accessed July 1, 2022).) Although Westlaw was originally created by West Publishing, it was based on the software behind QUIC/LAW, which was a Canadian legal research tool that operated from 1968 to 1973.

¹³ *Id.*

¹⁴ Exhibit 2 (Company History, <https://www.thomsonreuters.com/en/about-us/company-history.html> (accessed June 27, 2022)). See also Exhibit 3 (New York Times, "West Publishing Purchase By Thomson Is Approved," <https://www.nytimes.com/1996/06/20/business/the-media-business-west-publishing-purchase-by-thomson-is-approved.html> (Accessed July 1, 2022)).

¹⁵ Exhibit 4 (Thomson Reuters, 2021 Annual Report, p. 8, <https://ir.thomsonreuters.com/static-files/6938b043-b0c4-453f-842a-90ac19b5febd> (accessed June 27, 2022)).

¹⁶ Exhibit 5 (Thomson Reuters 2021 Fact Book, available at <https://ir.thomsonreuters.com/financial-information/fact-book> (accessed July 24, 2022)).

¹⁷ Complaint, p. 3.

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[REDACTED]

VII. CASE BACKGROUND

A. PLAINTIFFS’ ALLEGATIONS

23. [REDACTED]

24. [REDACTED]

¹⁸ Exhibit 6 (ROSS Intelligence, “Our Company,” <https://www.rossintelligence.com/about-us> (accessed July 1, 2022)).

¹⁹ Exhibit 7 (ROSS Intelligence, How is Natural Language Search Changing The Face of Legal Research?,” <https://blog.rossintelligence.com/post/how-natural-language-search-changing-face-of-legal-research> (accessed July 5, 2022)).

²⁰ Exhibit 8 (ROSS Intelligence, “ROSS Intelligence Secures \$13 Million to Transform Legal Industry,” <https://blog.rossintelligence.com/post/ross-intelligence-secures-13-million> (accessed July 5, 2022)).

²¹ *Id.*

²² Exhibit 9 (ROSS Intelligence, “Announcement,” <https://blog.rossintelligence.com/post/announcement> (accessed July 1, 2022)).

²³ Compliant, pp. 1-3.

²⁴ *Id.*, pp. 3-8.

HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY

25. [REDACTED]

B. [REDACTED]

26. [REDACTED]

²⁵ Complaint, p. 12 (“Upon information and belief, ROSS paid LegalEase to copy the Westlaw Content from Westlaw to build ROSS’s competing platform.”)

²⁶ *Id.* See also Plaintiffs and Counterdefendants Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation’s Second Supplemental Responses and Objections to Defendant and Counterclaimant ROSS Intelligence Inc.’s Interrogatory No. 21 (herein “Second Supplemental Response to Interrogatory No. 21”), p. 21.

²⁷ Second Supplemental Response to Interrogatory No. 1.

²⁸ TR-0179830; TR-0179838; TR-0179843; TR-0044730; TR-0526552. See also Exhibit 10 (Stanford Law School, “West Key Number System,” <https://guides.law.stanford.edu/cases/keynumbersystem> (accessed July 22, 2022)); Exhibit 11 (University of Arizona, “West Key Number System,” <https://libguides.library.arizona.edu/c.php?g=847161&p=6793295#s-lg-box-21620967> (accessed July 22, 2022)).

HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY

[REDACTED]

27. [REDACTED]

²⁹ *Id.*

³⁰ *Id.*

³¹ *Id.* In particular, TR-0179830 at 5.

³² *Id.*

³³ *Id.*

³⁴ *Id.*

³⁵ *Id.* In particular, TR-0526552 at 620.

³⁶ *Id.* See also TR-0179884. Available at <https://www.youtube.com/watch?v=MqKKnOSlZxg> (accessed March 23, 2022.) (“We make it easy to find what you need...” using headnotes and other features.)

³⁷ Second Supplemental Response to Interrogatory No. 1; TR-0179838; Complaint, pp. 3-6. See also TR-0734270.

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ TR-0179838.

HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY

[REDACTED]

28. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

29. [REDACTED]

[REDACTED]

⁴¹ Plaintiffs and Counterdefendants Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation’s Responses and Objections to Defendant and Counterclaimant ROSS Intelligence Inc.’s First Set of Requests for Admission (Nos. 1-129), pp 33, 34 ([REDACTED]).

⁴² Second Supplemental Response to Interrogatory No. 1.

⁴³ Second Supplemental Response to Interrogatory No. 21. [REDACTED]

[REDACTED]

⁴⁴ *Id.*

⁴⁵ *Id.* Citing TR-0179887; TR-0179889; TR-0179885; TR-0179877; TR-0179884; TR-0179863; TR-0179838; TR-0179876; TR-0179830; TR-0179867; TR-0179843.

⁴⁶ TR-0179830.

⁴⁷ TR-0179843 at 4.

[REDACTED]

30. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

31. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] [REDACTED]

32. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

33. [REDACTED]

⁴⁸ Deposition of Isabelle Moulinier 30(b)(6) Representative for Plaintiffs West Publishing Corporation and Thomson Reuters Enterprise Centre GmbH, pp. 103-104.

⁴⁹ This analogy also applies to Home Depot’s brick-and-mortar stores, where aisles are allocated to hold categories of product and different sections of the aisles are divided into more and more specialized.

[REDACTED]

34. [REDACTED]

35. [REDACTED]

36. [REDACTED]

⁵⁰ Exhibit 17 (Merriam-Webster, “artificial intelligence,” <https://www.merriam-webster.com/dictionary/artificial%20intelligence> (accessed June 24, 2022)).

⁵¹ Exhibit 18 (IBM, “Artificial Intelligence (AI),” <https://www.ibm.com/cloud/learn/what-is-artificial-intelligence> (accessed June 24, 2022)).

⁵² Report of Defendants’ Expert L. Karl Branting, J.D., Ph.D. (herein, “Branting Report”), ¶ 14.

⁵³ Exhibit 12 (Lemley, Mark A., and Bryan Casey. “Fair learning.” Tex. L. Rev. 99 (2020): 743).

⁵⁴ *Id.*

⁵⁵ For example, see Exhibit 13 (ScienceDaily, “Use artificial intelligence to identify, count, describe wild animals.” www.sciencedaily.com/releases/2018/06/180605124148.htm (accessed July 25, 2022)). Paper describes the use of 32 million labelled photographs to feed into an ML program.

⁵⁶ Branting Report, ¶¶ 23-29.

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[REDACTED]

37. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

38. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁵⁷ Discussion with Dr. L Karl Branting, dated July 6, 2022.

⁵⁸ Branting Report, ¶¶ 39-58; Discussion with Dr. L Karl Branting and Jimoh Ovbiagele, dated July 18, 2022.

⁵⁹ *Id.* Legal research AI might also be able to receive natural language questions and then, as an output, produce a rank-ordered list of statutes, regulations, and other law.

⁶⁰ Branting Report, ¶¶ 23-28.

⁶¹ *Id.*

⁶² *Id.* In particular, ¶ 29.

⁶³ *Id.*, ¶ 26 [REDACTED]

⁶⁴ *Id.* ¶¶ 39-58.

⁶⁵ Branting Report, ¶¶ 13-20, 39-52, 83.

[REDACTED]

39. [REDACTED]

40. [REDACTED]

⁶⁶ *Id.* ¶¶ 53-58.

⁶⁷ *Id.* ¶¶ 39-43, 58.

⁶⁸ *Id.* ¶¶ 14, 58.

⁶⁹ ROSS-003332368.

⁷⁰ Deposition of Teri Whitehead, pp. 33-34, 37; ROSS-003332368.

⁷¹ Deposition of Christopher Cahn, 30(b)(6) Representative for Morae Deposition Transcript, pp. 220-225; Branting Report, ¶ 16.

⁷² For example, ROSS-000000001.

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[REDACTED]

41. [REDACTED]

⁷³ Deposition of Teri Whitehead, pp. 33-34.

⁷⁴ Branting Report, ¶¶ 23-38.

⁷⁵ *Id.*

⁷⁶ *Id.* ¶ 19.

⁷⁷ *Id.* ¶¶ 39-58.

⁷⁸ *Id.*, ¶¶ 39-91.

⁷⁹ *Id.*, ¶¶ 39-43.

⁸⁰ *Id.* ¶¶ 44-46.

⁸¹ *Id.* ¶¶ 47-52 ([REDACTED]).

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VIII. FAIR USE

A. INTRODUCTION

42. [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

43. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

44. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

⁸² 17 U.S.C. § 107.

⁸³ Second Supplemental Response to Interrogatory No. 1.

⁸⁴ The characteristics of products and how they are used are important determinants on the demand for the products and how customers will divide themselves up into different segments.

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45. [REDACTED]
[REDACTED]
[REDACTED].

46. [REDACTED]
[REDACTED] [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

47. [REDACTED]
[REDACTED] [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED]
[REDACTED] [REDACTED]
[REDACTED]

[REDACTED]

⁸⁵ Branting Report, ¶ 20.

⁸⁶ For example, TR-0179830; TR-0179843.

⁸⁷ Branting Report, ¶¶ 59-65.

⁸⁸ *Id.*

⁸⁹ *Id.*

⁹⁰ *Id.*

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[REDACTED]

48. [REDACTED]

[REDACTED]

49. [REDACTED]

1. [REDACTED]

50. [REDACTED]

⁹¹ *Id.*

⁹² Exhibit 5, p. 38; Exhibit 19 (Thomson Reuters, “Start Fall with Westlaw,” <https://lawschool.thomsonreuters.com/> (accessed July 31, 2022)).

⁹³ Exhibit 20 (Sloan, Amy E. (2021) Basic Legal Research: Tools and Strategies, Eighth Edition. Wolters Kluwer. Chapter 2. Understanding Search Options, Section B. Source-Driven Search Process); Exhibit 14 (YouTube, “Topic and Key Number Searching on Westlaw,” <https://www.youtube.com/watch?v=LM8BuBIED0o> (accessed July 27, 2022)).

[REDACTED]

51. [REDACTED]

2. [REDACTED]

52. [REDACTED]

⁹⁴ My use of the terms “searching by word” “or searching by keyword” includes using strategies term connectors as described in Exhibit 15 (Westlaw Quick Reference Guide, “Searching with Terms and Connectors: Retrieving Documents on Westlaw,” <https://law.lclark.edu/live/files/9394-westlaw-terms-and-connectors-searching> (accessed July 27, 2022)).

⁹⁵ Exhibit 20; Exhibit 14; TR-0179838.

⁹⁶ *Id.*

⁹⁷ *Id.*

⁹⁸ *Id.* See also TR-0179830.

⁹⁹ *Id.*

¹⁰⁰ *Id.*

¹⁰¹ *Id.*

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[REDACTED]

3. [REDACTED]

53. [REDACTED]

[REDACTED]

¹⁰² TR-0179830 at 5-7.

¹⁰³ Exhibit 20; Exhibit 14; TR-0179838; TR-0179830.

¹⁰⁴ *Id.*

¹⁰⁵ *Id.*

¹⁰⁶ *Id.*

¹⁰⁷ TR-0179838. I provided the more precise number based on the RFA response. See *infra* n. 41. See also TR-0179876. Available at <https://www.youtube.com/watch?v=NiOXTn4iDT4> (accessed July 12, 2022).

¹⁰⁸ Exhibit 21 (“Editorial Enhancements,” <https://legal.thomsonreuters.com/en/products/westlaw/editorial-enhancements> (accessed July 31, 2022)) (“Save time with Headnotes: . . . Rather than reading through every case in your results list to determine whether it’s applicable to your specific issue, you can easily pinpoint the cases that match your facts and desired outcome to build the strongest argument. . . Ensure you haven’t missed any relevant authority”). [REDACTED]

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[REDACTED]

54. [REDACTED]

55. [REDACTED]

56. [REDACTED]

57. [REDACTED]

¹⁰⁹ *Id.* See also TR-0179838, which describes the key numbers as “comprehensive.”

¹¹⁰ I understand that at least some of the time this is true. By contrast, [REDACTED]
[REDACTED]. See TR-0036336.

¹¹¹ Exhibit 22 (Thomson Reuters, “Westlaw: Our people. Your peace of mind,” <https://store.legal.thomsonreuters.com/law-products/westlaw-legal-research/q-and-a-with-robin-germandt-key-number-system> (accessed June 26, 2022)). A YouTube video Q&A with Robin Gernandt is embedded into this link.

¹¹² Exhibit 16, pp. 277-279). The article discusses the establishment of the key number system by the beginning of the 20th century.

¹¹³ TR-0179830.

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[REDACTED]

58. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

59. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

60. [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED]
[REDACTED] [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

¹¹⁴ See generally Branting Report.

¹¹⁵ *Id.*

¹¹⁶ *Id.* ¶¶ 39-58.

HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY

[REDACTED]

[REDACTED]

61. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

62. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

63. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

¹¹⁷ *Id.* ¶¶ 59-65; TR-0037669 [REDACTED]
[REDACTED]

¹¹⁸ Branting Report, ¶ 61.

¹¹⁹ Branting Report, ¶¶ 59-65; TR-0037669.

¹²⁰ *Id.*

¹²¹ *Id.*

¹²² Branting Report, ¶¶ 59-65.

¹²³ *Id.*

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[REDACTED]

64. [REDACTED]

[REDACTED]

65. [REDACTED]

¹²⁴ *Id.*, ¶¶ 60, 63.

¹²⁵ *Id.*, ¶¶ 59-65.

¹²⁶ *Id.*, ¶ 64.

¹²⁷ *Id.* ¶¶ 64 ([REDACTED])

¹²⁸ Branting Report, ¶¶ 59-65; TR-0037669.

¹²⁹ TR-0037669.

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[REDACTED]

66. [REDACTED]

67. [REDACTED]

¹³⁰ *Id.*

¹³¹ TR-0179843 at 4.

¹³² Branting Report, ¶¶ 39-65.

¹³³ *Id.*

HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY

[REDACTED]

68. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
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[REDACTED]
[REDACTED]
[REDACTED]

69. [REDACTED]
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[REDACTED]
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70. [REDACTED]
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HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY

71. [REDACTED]
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72. [REDACTED]
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D. [REDACTED] [REDACTED] [REDACTED]

73. [REDACTED]
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[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

¹³⁴ *Id.* See also Second Supplemental Response to Interrogatory No. 21, p. 21.

¹³⁵ See *supra* n. 41 ([REDACTED])
[REDACTED]

¹³⁶ Exhibit 21.

HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY

[REDACTED]

74. [REDACTED]

75. [REDACTED]

HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY

[REDACTED]

76. [REDACTED]
[REDACTED]
[REDACTED]
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[REDACTED]
[REDACTED]

77. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

¹³⁷ *Ty, Inc. v. Publications International Ltd.* 292 F.3d 512, 517 (7th Cir. 2002). Exhibit 24 (Landes, William M., and Richard A. Posner. *The economic structure of intellectual property law*. Harvard university press, 2003. pp. 115-123).

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[REDACTED]

78. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

79. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

IX. [REDACTED]

A. [REDACTED]

80. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹³⁸ Though, in reality, the value of its information depreciates with time.

¹³⁹ Google’s use of Java API’s, by contrast, results in every user of an Android phone using the copyrighted APIs at issue in *Oracle v. Google*. Furthermore, developers of Apps that are compatible with Android will use those same APIs. Exhibit 25 (Bell, Abraham, and Gideon Parchomovsky. "Propertizing fair use." *Va. L. Rev.* 107 (2021): 1255). Available at https://scholarship.law.upenn.edu/faculty_scholarship/2250.

HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY

[REDACTED]

81. [REDACTED]

82. [REDACTED]

83. [REDACTED]

84. [REDACTED]

¹⁴⁰ TR-0037669; TR-0179843; Exhibit 21.

¹⁴¹ Exhibit 26 (Thomson Reuters, “Product: Westlaw Edge,” <https://legal.thomsonreuters.com/en/products/westlaw-edge> (accessed May 1, 2022). Quote is transcribed from video embedded in this page.

¹⁴² TR-0179838.

¹⁴³ Complaint, p. 6.

¹⁴⁴ The collection of materials that I considered are cited in Appendix B.

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[REDACTED]

B. [REDACTED]

85. [REDACTED]

¹⁴⁵ Discussion with Dr. L Karl Branting and Jimoh Ovbiagele, dated July 18, 2022.

¹⁴⁶ *Id.*

¹⁴⁷ [REDACTED]

¹⁴⁸ For example, the Second Supplemental Response to Interrogatory No. 1 describes [REDACTED]

¹⁴⁹ Deposition of Isabelle Moulinier 30(b)(6) Representative for Plaintiffs West Publishing Corporation and Thomson Reuters Enterprise Centre GmbH, pp. 103-104.

¹⁵⁰ Second Supplemental Response to Interrogatory No. 21, p. 18 [REDACTED]
[REDACTED] See also Plaintiffs / Counterdefendants’ Answer

[illegible][illegible]

88. [REDACTED]

[REDACTED]

[REDACTED]

(same); ¶ 105 (same).

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[REDACTED]

89. [REDACTED]

90. [REDACTED]

¹⁵¹ Exhibit 16, p. 282.

¹⁵² Exhibit 23 (Hellyer, Paul. "Assessing the influence of computer-assisted legal research: a study of California Supreme Court opinions." Law Libr. J. 97 (2005): 285) (“As LexisNexis and Westlaw improved, their popularity grew exponentially. By 1990, LexisNexis was processing 100,000 online searches in one day; by 1998, that number grew to 600,000. By 2000, LexisNexis had 11,400 databases and 2.1 million subscribers worldwide and was adding 8.7 million documents every week. By 1994, nearly all major law firms in the United States had access to Lexis and Westlaw.”) (Citations excluded).

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[REDACTED]

91.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

92.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

153

[REDACTED]

¹⁵⁴ Exhibit 23.

HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY

[REDACTED]

93. [REDACTED]

94. [REDACTED]

95. [REDACTED]

¹⁵⁵ Branting Report, ¶ 65.

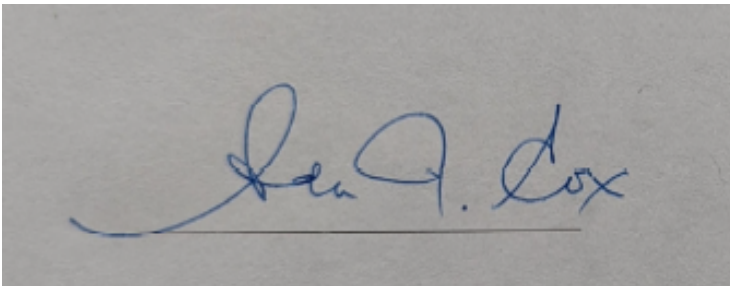
¹⁵⁶ *Id.* ¶¶ 39-65.

HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY

[REDACTED]

C. [REDACTED]

96. [REDACTED]



Alan J. Cox

¹⁵⁷ *Google LLC v. Oracle Am., Inc.*, 141 S. Ct. 1183, 1195 (2021) (“Copyright and patents, the Constitution says, are to “promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.” Art. I, § 8, cl. 8. Copyright statutes and case law have made clear that copyright has practical objectives. It grants an author an exclusive right to produce his work (sometimes for a hundred years or more), not as a special reward, but in order to encourage the production of works that others might reproduce more cheaply.”)

Alan J. Cox
Independent Economic Consultant

Education

University of California, Berkeley

Ph.D., Business Administration, Economic Analysis and Policy Program, 1989
Major Fields: Industrial Organization, Finance, Econometrics

University of British Columbia

M.A., Economics, 1978

York University, Toronto

B.S., Environmental Science, 1976

Professional Experience

2020	Independent Economic Consultant Affiliated Consultant, NERA Economic Consulting
	NERA Economic Consulting
2020-	Outside Consultant
2016-2018	Chair of NERA's Global Intellectual Property Practice
2001-2019	Managing Director/Senior Vice President
1998-2001	Vice President
1994-1998	Senior Consultant
1988-1989	Senior Analyst
	Law & Economics Consulting Group, Inc.
1989-1994	Vice President and Senior Economist
	University of California, Berkeley
1983-1989	Research Assistant

1985-1987	Minimax Research Corporation Economist
1978-1981	Massachusetts Institute of Technology Visiting Economist
1978	University of British Columbia Research Associate

Teaching Experience

1994-1995	St. Mary's College of California Visiting Lecturer, Graduate School of Management Taught Industrial Structure and Competitive Strategy.
1989	Northeastern University Adjunct Lecturer, Graduate School of Management Taught Managerial Economics.
1984-1985	University of California, Berkeley Teaching Assistant Taught Intermediate Microeconomics.

Expert Testimony, Affidavits, and Reports

(Clients underlined)

Antitrust

Vicky Maldonado, et al. v. Apple Inc., et al., U.S.D.C. for the Northern District of California, San Francisco Division Case No. 3:16-cv-04067-WHO

Deposition on April 15, 2019, *Declaration and Expert Report in Support of Defendants' Opposition to Class Certification* dated April 8, 2019 on behalf of Apple Inc., AppleCare Service Company, Inc. and Apple CSC Inc. in rebuttal to Plaintiffs' Economic Expert report on class certification related to Apple service plans for iPhones and iPads in the U.S.

In Re Korean Ramen Antitrust Litigation, U.S. District Court for the Northern District of California, San Francisco Division, Case No. 3:13-cv-04115-WHO

Trial testimony on December 12-13, 2018, *Deposition* on September 27, 2017, *Reply Expert Report* dated August 18, 2017, *Supplemental Expert Report* dated July 21, 2017, *Reply Declaration* dated November 2, 2016, *Deposition testimony* on October 7, 2016 and *Declaration* of Alan J. Cox dated August 24, 2016 on behalf of Defendants Nongshim Co., Ltd., Nongshim America, Inc., Ottogi Co. Ltd and Ottogi America, Inc. responding in opposition to Motions by Direct Purchaser Plaintiffs and Indirect Purchaser Plaintiffs for Class Certification relating to the sales of Korean ramen products in the United States by Defendants.

Trendsettah USA, Inc. and Trend Settah, Inc. v. Swisher International, Inc., USDC Case No. 8:14-CV-01664-JDS

Trial Testimony March 24 and 29, 2016, *Supplemental Expert Report* dated December 18, 2015, *Deposition* on December 17, 2015 and *Expert Report* dated December 11, 2015 on behalf of defendant Swisher International, Inc. evaluating economic issues related to defendant's alleged anticompetitive conduct and alleged breach of contract.

Intellectual Property

SinCo Technologies Pte, Ltd. v. SinCo Electronics, (Dongguan) Co., Ltd.; XingKe Electronics (Dongguan) Co., Ltd; XingKe Electronics Technology Co., Ltd.; Sincoo Electronics Technology Co., Ltd.; Mui Lang Tjoa (An Individual); Ng Cher Yong Aka Cy Ng (An Individual); And Liew Yew Soon Aka Mark Liew (An Individual) U.S.D.C. for the Northern District of California, Case No. 3:17CV5517 EMC

Expert Report, January 9, 2020 on the economic consequences of defendants' trademark misuse and the appropriate methods for calculating the allowed remedies. *Supplemental Expert Report*, October 1, 2021 commenting late submitted data. *Trial testimony*, November 10 and 12, 2021.

FOX Factory, Inc., v. SRAM, LLC, and Sandleford Limited, U.S.D.C. for the District of Colorado Case Nos. 1:18-cv-00127-WJM-NYW and 1:18-cv-00130-WJM-NYW, Filed: October 11, 2017.

Rebuttal Report dated January 25, 2019 on behalf of defendants, SRAM, LLC and Sandleford Limited regarding purported reasonable royalty damages experienced by FOX, if any, from the alleged patent infringements by defendants.

TC Technology LLC v. Sprint Corporation and Sprint Spectrum, L.P., USDC for the District of Delaware Case No. 1:16-cv-00153-UNA, Filed: March 10, 2016.

Deposition November 20, 2018, *Expert Rebuttal Report* dated October 22, 2018 regarding economic issues regarding purported reasonable royalty damages.

ZF Micro Devices, Inc., et al. v. TAT Capital Partners, LTD., etc., et al, Santa Clara County Superior Court Case No. 1-09-CV 134970, Filed: February 17, 2009.

Deposition on September 14, 2018 on behalf of TAT Capital Partners, LTD regarding damages due to breach of fiduciary duty and conspiracy related to tortious activities.

Thomas Davidson, et al. v. Apple, Inc., U.S.D.C. for the Northern District of California Case No. 5:16-cv-4942-LHK, Filed: August 27, 2016.

Deposition on May 9, 2019, *Expert Rebuttal Report* dated February 15, 2019, *Declaration in Support of Defendant's Opposition to Amended Motion for Class Certification* dated December 6, 2018, *Declaration in Support of Defendant's Opposition to Motion for Class Certification* dated February 9, 2018, on behalf of defendant, Apple Inc. related to economic issues and sale of Apple smartphones in the U.S.

Amgen Inc. and Amgen Manufacturing Limited v. Sandoz Inc., Sandoz International GMBH, Sandoz GMBH, and LEK Pharmaceuticals D.D., USDC for the Northern District of California, San Francisco Division, Case 3:16-cv-02581, Filed: May 12, 2016.

Deposition on October 6, 2017, *Supplemental Expert Report* dated October 2, 2017 and *Expert Report* dated July 28, 2017 regarding lost profits and reasonable royalty damages for alleged patent infringements by Sandoz defendants.

C.R. Bard, Inc. and Bard Peripheral Vascular, Inc. v. AngioDynamics, Inc., U.S.D.C. for the District of Delaware, Case No. 1:15-cv-00218-SLR-SRF, Filed: March 10, 2015

Trial testimony March 6-7, 2019, *Deposition* dated December 13, 2017, *Reply to Supplemental Expert Report* dated December 6, 2017, *Reply Expert Report* dated December 1, 2017, *Expert Report* dated September 1, 2017 on behalf of C.R. Bard, Inc. and Bard Peripheral Vascular, Inc. (“Bard”) regarding reasonable royalties and lost profits damages experienced by Bard as a result of alleged patent infringements by AngioDynamics, Inc.

The Regents of the University of California and Becton, Dickinson and Company v. Affymetrix, Inc. and Life Technologies Corp., U.S. District Court for the Southern District of California Case No. 3:17-cv-01394-H-NLS.

Deposition dated February 27, 2019, *Expert Report* dated December 7, 2018 regarding the need for a permanent injunction, lost profits damages, and reasonable royalty damages for the alleged patent infringement by Defendants, *Deposition* on September 22, 2017, *Declaration* in Support of Plaintiff, Becton, Dickinson and Company’s Motion for Preliminary Injunction to enjoin sales of allegedly infringing brilliant polymers used in flow cytometry, dated July 12, 2017.

EON Corp. IP Holdings, LLC v. Apple Inc., USDC for the Northern District of California, San Francisco Division Case No. 3:14-CV-05511-WHO

Expert Report dated March 15, 2017 on behalf of Defendant, Apple Inc., regarding reasonable royalty damages experienced by EON Corp. as a result of an alleged patent infringement by Apple Inc.

In the Matter of: Certain Network Devices, Related Software and Components Thereof (I)

U.S. International Trade Commission Investigation No. 337-TA-944 Enforcement Proceedings

Testimony before the U.S. International Trade Commission on April 5, 2017, *Rebuttal Witness Statement* dated February 27, 2017, *Deposition* on February 6, 2017, *Supplemental Rebuttal Expert Report* on February 4, 2017 and *Rebuttal Report* on February 1, 2017 on behalf of respondent Arista Networks, Inc., regarding proposed penalty due to alleged non-compliance with a Cease and Desist Order issued in the underlying 944 investigation.

Telesocial Inc. v. Orange S.A., et al., USDC for the Northern District of California Case No. 3:14-cv-0398-JD

Deposition on December 22, 2016 and *Expert Report* dated December 12, 2016, on behalf of defendant Orange S.A., responding to plaintiff’s expert’s report with regard to alleged damages incurred by plaintiff due to defendant’s alleged misappropriation of trade secrets.

AI-Daiwa, Ltd. v. Apparent, Inc., et al., US District Court for the Northern District of California Case No. CV13-04156(VC)

Deposition on August 14, 2015 and *Expert Rebuttal Report* dated July 29, 2015 on behalf of claimant AI-Daiwa, Ltd. regarding damages due to claimant’s alleged breach of contract.

Comcast Cable Communications, LLC, et al. v. Sprint Communications Company L.P., et al., US District Court for the Eastern District of Pennsylvania Case No. 2:12-cv-00859-JD

Deposition on April 1, 2016, *Expert Report* dated July 15, 2015 on behalf of defendants Sprint Communications Company L.P., Sprint Spectrum L.P., and Nextel Operations, Inc. (“Sprint”) regarding the purported reasonable royalty damages experienced by Comcast due to Sprint’s alleged infringement of Comcast’s patent.

Sprint Communications Company L.P., et al. v. Comcast Cable Communications LLC, et al., US District Court for the Eastern District of Pennsylvania Case No. 2:12-cv-00859-JD

Direct Trial Testimony and *Cross-Examination* in the Eastern District of Pennsylvania on February 9 and 10, 2017, *Deposition* on April 1, 2016, *Reply Expert Report* dated July 29, 2015 and *Expert Report* filed on June 17, 2015, on behalf of counterclaim-plaintiffs Sprint Communications Company L.P. and Sprint Spectrum L.P. (“Sprint”) regarding reasonable royalty damages experienced by Sprint due to Comcast’s alleged infringement of Sprint’s patents.

Class Certification

Ivan and Melanie Kail, Barry Garfinkel, Frederick Sharp v. Wolf Appliance, United States District Court for the Eastern District of New York.

Deposition on April 17, 2019, *Expert Rebuttal Report* dated March 7, 2019 on behalf of defendant, Wolf Appliance, Inc. Expert rebuttal of proposed damages methodology and class certification regarding Wolf ovens in the U.S.

Vicky Maldonado, et al. v. Apple Inc., et al., U.S.D.C. for the Northern District of California, San Francisco Division Case No. 3:16-cv-04067-WHO

Deposition on April 15, 2019, *Declaration and Expert Report in Support of Defendants’ Opposition to Class Certification* dated April 8, 2019 on behalf of Apple Inc., AppleCare Service Company, Inc. and Apple CSC Inc. in rebuttal to Plaintiffs’ Economic Expert report on class certification related to Apple service plans for iPhones and iPads in the U.S.

In Re Korean Ramen Antitrust Litigation, U.S. District Court for the Northern District of California, San Francisco Division, Case No. 3:13-cv-04115-WHO

Trial testimony on December 12-13, 2018, *Deposition* on September 27, 2017, *Reply Expert Report* dated August 18, 2017, *Supplemental Expert Report* dated July 21, 2017, *Reply Declaration* dated November 2, 2016, *Deposition testimony* on October 7, 2016 and *Declaration* of Alan J. Cox dated August 24, 2016 on behalf of Defendants Nongshim Co., Ltd., Nongshim America, Inc., Ottogi Co. Ltd and Ottogi America, Inc. responding in opposition to Motions by Direct Purchaser Plaintiffs and Indirect Purchaser Plaintiffs for Class Certification relating to the sales of Korean ramen products in the United States by Defendants.

Fabienne English, et al. v. Apple Inc., Applecare Service Company, Inc. and Apple CSC Inc., US District Court for the Northern District of California Case No. 3:14-cv-01619-WHO.

Deposition, September 25, 2015 and *Expert Report*, September 9, 2015 in rebuttal to Plaintiffs’ Economic Expert report on class certification related to Apple service plans for iPhones.

Contract Disputes

Major Brands, Inc. v. Mast-Jägermeister US, Inc., et al., U.S.D.C. for the Eastern District of Missouri Eastern Division, Case No. 4:18-cv-00423-HEA

Trial testimony, November 18, 2020. *Reply Report* dated December 4, 2020. *Deposition* dated September 2, 2020, *Initial Expert Report* dated November 1, 2019 on behalf of plaintiff Major Brands, Inc. regarding damages suffered by Major Brands as a result of the alleged wrongful termination of the Distribution Agreement and the alleged wrongful actions by the defendants.

Cypress Insurance Company, as subrogee of Microsoft Corporation, v. SK hynix America, Inc., USDC, for the Western District of Washington at Seattle Case No. 2:17-cv-00467-RAJ, Filed: March 23, 2017.

Trial testimony on March 19, 2019, *Deposition* dated October 10, 2018, *Rebuttal Expert Report* dated September 25, 2018, *Initial Expert Report* dated September 4, 2018 regarding economic issues related to an alleged breach of a supply agreement for DRAM chips between SK Hynix America and Microsoft Corporation.

PUBLICATIONS

“The Damages Testimony in VLSI Technologies v. Intel,” Guest Post on Patently-O, March 19, 2021. [Guest Post by Alan Cox: The Damages Testimony in VLSI Technologies v. Intel | Patently-O \(patentlyo.com\)](https://patentlyo.com/guest-post-by-alan-cox-the-damages-testimony-in-vlsi-technologies-v-intel/)

David S. Almeling, et al., *Disputed Issues in Awarding Unjust Enrichment Damages in Trade Secret Cases*, 19 Sedona Conf. J. 667 (2018).

“The Limitations of Analytical Approach to Reasonable Royalty,” published April 13, 2017 in *Law360*. Dr. Cox offers a rebuttal to a previously published *Law360* article, “Determining Reasonable Royalties with Analytical Approach.” He provides a detailed counterargument explaining that the analytical approach is inappropriate for the valuation of intellectual property and that it is especially ill-suited for complex products.

“Using Citation Analysis to Value Patents,” published in *Financier Worldwide* Magazine January 2016 Issue.

“Misuse of Patent Citation Analysis in *Finjan v. Blue Coat*,” published October 7, 2015 in *Law360*. Dr. Cox provides an overview of how to assess patent values using quantitative data on number of forward citations received by a patent.

Article, “Off the Wagon,” published February 6, 2015 in *Commercial Dispute Resolution* magazine. The article discusses the analysis used to calculate damages based on lost profits to Major Brands due to both the alleged breach of contract by Diageo and tortious interference by the competing distributor.

“The Demise of Junk Science and the 25% Rule,” column published in *IPLaw360*, 29 July 2010, with Stephen Rusek. It discusses the use of the so-called 25 Percent Rule which the writers point out has no rational, scientific, or business basis. This lack of principal combined with the *ad hoc* manner in which the purported rule is implemented can also give wildly unpredictable results.

“Three Cases Reshaping Patent Licensing Practice,” article published in *Managing Intellectual Property*, 1 March 2010, with Dr. Elizabeth M. Bailey and Dr. Gregory K. Leonard.

“Compensatory Damages Issues in Patent Infringement Cases: A Handbook for Federal District Court Judges.” Participation, with committee members, which included legal practitioners, trial judges, damages experts, and academics, in the development of a handbook for trial courts to consult on procedural practices that may be helpful in the management and adjudication of damages issues in patent cases. 20 January 2010.

“2 Economists’ Take On *i4i V. Microsoft*,” column published in *Law360*, 23 November 2009, with Mario Lopez, reviewing the damages raised in the CAFC’s hearings in the I4I case and the appropriate standards for estimating damages in patent infringement cases.

PRESENTATIONS AND WORKING PAPERS

Panelist for Webinar *TCL v. Ericsson* FRAND Decision: Legal Implications LIVE Webcast, September 07, 2018, The Knowledge Group, LLC.

Panelist, “Settling Trade Secret Disputes,” webinar hosted by the Intellectual Property Owners Association IP Chat Channel on January 30, 2018. Joining Dr. Cox were Victoria Cundiff of Paul Hastings and Barbara Reeves, mediator and arbitrator at JAMS.

Dr. Cox led a panel discussion on “Reasonable Royalty in FRAND” at the 2017 National Technology Law Conference in Taipei, Taiwan. The conference, presented by the National Chiao Tung University School of Law, was held on 25-26 October 2017.

October 13, 2017, invited speaker at the 6th Annual US-China Intellectual Property Summit co-hosted by Loyola Law School, The Berkeley Center for Law and Technology, and China Renmin University IP Academy. Dr. Cox spoke on “New Trends in IP Litigation, Courts, and Enforcement.”

Dr. Cox addressed a conference on “Economics in IP and IP in Economics” held at Renmin University in Beijing on 14-15 July 2016. He discussed issues on the appropriate calculation of damages in IP matters and related issues in antitrust. Dr. Cox also appeared as an expert invited by the USPTO and met with the judges of the Jiangsu and Guangdong High Courts.

Panelist at a video webcast titled “Preparing for an Exit: Private Company Valuation,” hosted by Expert Webcast on April 28, 2016. Dr. Cox discussed techniques and considerations in the valuation of Intellectual Property.

Alan J. Cox

Invited speaker at the *Eighth Annual International Legal Alliance Summit & Awards*, organized by Leaders League, in New York City on June 24, 2015. Dr. Cox participated in an expert insights session entitled “International IP Trends: Litigation & Prosecution, IP Wars.”

July 22, 2015, Panelist on “Meeting the Challenge of Patent Valuation” at the CPIP’s Summer Institute in Patent Law, Beaver Creek CO, sponsored by Center for the Protection of Intellectual Property, George Mason University School of Law.

Keynote Speaker, at the *2014 International Symposium on Damages for Patent Infringement*, hosted by the Taiwan Intellectual Property Training Academy (TIPA): Taipei, Taiwan on October 24, 2014. Dr. Cox presented “Determining Patent Damages: Lessons and Challenges from the US” and served as a panelist in a session entitled “Damage Calculation of Patent Infringement in Taiwan: Observations on Development in Recent Years.”

Program Co-chair, “Litigating Patent Damages: Strategic Issues for Proving and Refuting Damages Claims,” hosted by Law Seminars International, San Francisco May 29-30, 2014. Dr. Cox also took part on a panel and discussed issues raised in *CMU v. Marvell*: Foreign Sales and the use of the Analytical Method as an alternative to the Hypothetical Negotiation, including products made and sold outside the U.S. in the royalty base.

“Intangibles: The Challenge of Understanding Value Creation within Multinational Enterprises.” In this NERA seminar, held in Paris on 12 December 2013, Dr. Cox and NERA colleagues, Dr. Emmanuel Llinares and Vice President Sébastien Gonnet discussed how to identify and map intangibles within multinational enterprises (MNEs), and presented the economic framework for intangibles valuation.

Presentation to Gibson Dunn & Crutcher, LLP titled “Determining Whether a Stock (or Stocks) Traded Efficiently and the Deutsche Bank Decision,” in San Francisco on December 4, 2013. Discussed issues involved in Securities 10b5 cases as they relate to efficient markets and explored the US District Court’s interesting decision in *Deutsch Bank*.

Presentation to Latham & Watkins, LLP titled “Determining Whether a Stock (or Stocks) Traded Efficiently,” in San Francisco on October 15, 2013.

Participation, in *Economics Analysis of Business Disputes*, seminar hosted by NERA in Tokyo on July 19, 2013. Dr. Cox and Economists from NERA’s Japan and US offices examined recent economic analyses in complex business disputes and litigation in Japan and the United States. Dr. Cox presented “Trends in Patent Litigation in the United States: Consequences for Global Companies.”

Presentation to Haynes and Boone, LLP titled “Patent Trolls or Patent Angels: Who are They and How Do They Affect Innovation?” in Dallas, Texas on June 12, 2013.

Alan J. Cox

Participation in the *IP Strategy Summit: Enforcement*, hosted by IGlobal Forum in Washington, DC on 29-30 May 2013. “Standard Essential Patents (SEPS) and Your Enforcement Strategy,” moderated by NERA colleague, Dr. David Blackburn, and panelists Dr. Alan Cox, Paul Michel, retired Chief Judge of the Federal Circuit and Laura Beth Miller of Brinks Hofer Gibson & Lion discussed the current SEPs landscape in light of recent disputes among smartphone technology owners, the recent RAND decision in the *Microsoft v. Motorola* case and trends in both federal courts and the US International Trade Commission. Dr. Cox also took part on a panel entitled “International Enforcement: Globalization and Your IP,” which covered intellectual property enforcement issues in China, India and Europe.

Dr. Cox was invited to be a panelist on the IPO IP Chat Channel webinar on “FRAND Determined: Judge Robart’s Decision in *Microsoft v. Motorola/Google*,” on May 9, 2013. Joining Dr. Cox were William Coats of Greenberg Traurig and Sandy Block of IBM.

“Effective Responses to Patent Trolls: We Can Cross That Bridge.” Alan Cox and Bob Skitol of Drinker Biddle were joined by Cynthia Bright, Esq. of Hewlett-Packard Company, Michelle Lee, Director, USPTO Silicon Valley; and Fiona Scott Morton, Professor, Yale School of Management at NERA/DrinkerBiddle hosted luncheon conference on May 8, 2013 in East Palo Alto. Dr. Cox discussed effective responses to patent infringement claims and threats of such claims from patent assertion entities.

Presentation to Winston & Strawn LLP titled “The Use of Comparable Licenses” with NERA colleague Anne Gron, Ph.D. in Chicago on May 1, 2013.

Presentation to Steptoe & Johnson LLP titled “Rigorous Economic Basis for Calculating and Proving IP Damages” in Washington, DC on April 12, 2013.

Dr. Cox was invited to address the course in “Intellectual Property Legal Practice” at Beijing University School of Law on 3 March 2013. The course, managed by the Beijing office of King & Wood Mallesons, is designed to enable students to master the basic theory and practices of intellectual property law. Dr. Cox discussed issues of intellectual property valuation, damages assessment, and possible anticompetitive uses of intellectual property incorporated into standards.

Participation, in the 2012 *Cross-Border IPR Dispute Resolution Conference*, hosted by ASCo: Seoul, Korea on October 17-18, 2012. NERA sponsored this conference, where Dr. Cox led a master class entitled “IPR Negotiation: Effective Calculation of Patent Damages and Negotiation Tactics.”

Presentation, a GIL 2012: The Global Community of Growth, Innovation and Leadership, hosted by the GIL Community: San Jose, California. Dr. Cox gave a presentation on “Developments in IP Protection in China” on September 12, 2012.

Presentation to Latham & Watkins, LLP titled “Current Use of Economic Analyses in Class Certification in Securities Fraud Matters” with NERA colleague Stefan Boettrich in New York City on January 17, 2012.

Alan J. Cox

Participation in “The Lifecycle of a US ‘Class Action’ Lawsuit: What Chinese Companies Need to Know,” hosted by Marsh: Beijing, China, November 1, 2011.

“Recent trends in US patent litigation and the impact on non-US companies” presentation at the 8th Annual Asia-Pacific IP Forum in, Kowloon, Hong Kong on September 29, 2011.

“International Trends in Securities Fraud Litigation and the Impact on Chinese Companies,” presentation with NERA colleague Mark Berenblut, hosted by the Hong Kong Society of Financial Analysts on September 27, 2011 in Hong Kong. Dr. Cox discussed the economics of damages claims in lawsuits alleging securities fraud by directors and officers of companies listed on the US and other stock exchanges.

“Comparables: the use and misuse of benchmark royalty rates for patent damages,” hosted by Dewey LeBeouf, San Francisco on July 12, 2011. Dr. Cox addressed the role of licenses and industry benchmarks in the determination of reasonable royalties.

Panelist at the “Stanford IP Seminar for Intellectual Property Judges from The People’s Republic of China,” hosted by Stanford Law School May 23-27, 2011. Dr. Cox and co-panelist, USDC for the Northern District of California, Elizabeth D. Laporte, Magistrate Judge, discussed current United States intellectual property law and patent damages.

“Licensing and Litigating Reasonable Royalties for the Patents in Technical Standards,” hosted by the Austin Chapter of Licensing Executives Society (LES) on May 31, 2011. Dr. Cox discussed the difficulties in defining a Fair, Reasonable, and Non-Discriminatory (FRAND) royalty, an issue that often results in litigation.

“Implications of Recent Legal Developments on the Handling of Patent Cases in the Trial Court.” Dr. Cox discussed the evolving standards in damages estimation at the patent litigation presentation to the District Judicial Council for the Southern District of California on April 25, 2011 in Dana Point, CA.

“Unlocking *Uniloc*: Meeting the Court’s New Evidentiary Standards for Reasonable Royalties,” one of a series of roundtable discussions hosted by NERA in San Francisco on March 3 and Palo Alto, California on March 4, 2011.

Moderator, “*Uniloc v. Microsoft*: A Key New Ruling for Patent Damages,” expert analysis telebriefing hosted by Law Seminars International on January 21, 2011.

Presentation to Allen and Overy LLP and to Ashurst LLP titled “The Simple Economics of Reasonable Royalties for Patents Incorporated into a Technical Standard,” in London on December 6, 2010.

“Trends in Intellectual Property Protection and Antitrust Enforcement in China,” seminar hosted by NERA in San Francisco on November 3, 2010.

Alan J. Cox

Presentation at Foley & Lardner LLP's "Eye on China Roundtable Series," by Dr. Cox with Victor Xue, Executive Vice-President, US-China Green Energy Council and Catherine Sun, Managing Partner, Foley & Lardner Shanghai Offices, titled "IP Enforcement in China 2010: Myth or Reality?" given in Palo Alto on November 1, 2010.

Silicon Valley Chapter of Licensing Executives Society, Panelist, "Licensing and Litigating Reasonable Royalties for the Patents in Technical Standards," September 22, 2010.

"Tips for Determining 'Reasonable' Royalties: The impact of recent case law on the economic analysis." Presentations at conference on "Legal Issues in Software Development," sponsored by Law Seminars International on June 16, 2010, in Seattle, WA.

Presentation to ZTE Corporation on June 4, 2010 in Shenzhen, China on patent infringement damage calculations in the United States.

Presentation to the Supreme People's Court of the People's Republic of China, including Chief Justice Kong Xiangjun, on May 26, 2010. Dr. Cox, together with NERA colleague, Dr. Fei Deng, discussed the methods used in the United States to calculate damages in patent, trade secret, and trademark infringement litigation. They also discussed antitrust issues related to intellectual property.

"Infringement Decisions and Judgments: Important Lessons from High Profile Cases," presented at the 2nd Annual Anti-Monopoly & Competition Law Summit held May 25-27 in Beijing. Dr. Cox discussed the differing treatment of *Intel* in jurisdictions around the world.

Panelist, "Trade Secret Remedies—Getting Creative," one-hour webinar hosted by the Intellectual Property Owners Association IP Chat Channel on April 1, 2010.

"Using Economics to Accurately Value IP," presentation with colleagues, Stephen Rusek and Dr. Mario Lopez, given at the Fenwick & West LLP Mountain View office on February 25, 2010.

"Damage Quantification in Patent Litigation: Putting the 'Reasonable' in Reasonable Royalty Rate Determinations," seminar hosted by NERA in Toronto, Canada on December 9, 2009. Dr. Cox and colleague, Mark Berenblut discussed patent valuation and reasonable royalties.

"Groundhog Day: Recurring Themes on Reasonable Royalties in Recent IP Damage Cases," NERA working paper, December 7, 2009, with colleagues Dr. Elizabeth M. Bailey and Dr. Gregory K. Leonard.

APPENDIX B

Documents Reviewed

In Connection with

**Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation, v. ROSS
Intelligence Inc.**

Case No. 20-613-SB

Court Documents

- Plaintiffs Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation's Complaint against Defendant ROSS Intelligence, dated May 6, 2020
- Plaintiffs and Counterdefendants Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation's Second Supplemental Response and Objections to Defendant and Counterclaimant ROSS Intelligence Inc.'s Interrogatory No. 1. Interrogatory No. 1 asks Plaintiffs to "IDENTIFY the specific portions of the WESTLAW CONTENT that you claim is subject to copyright that ROSS INFRINGES."
- Sealed Order, signed by Judge Stephanos Bibas, dated July 25, 2022
- 17 USC § 107
- Plaintiffs and Counterdefendants Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation's Second Supplemental Responses And Objections To Defendant And Counterclaimant Ross Intelligence Inc.'s Interrogatory No. 21
- Plaintiffs and Counterdefendants Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation's Responses and Objections to Defendant and Counterclaimant ROSS Intelligence Inc.'s First Set of Requests for Admission (Nos. 1-129)
- Plaintiffs / Counterdefendants' Answer to Defendant / Counterclaimants Amended Counterclaims

Deposition Transcripts

- Deposition of Isabelle Moulinier 30(b)(6) Representative for Plaintiffs West Publishing Corporation and Thomson Reuters Enterprise Centre GmbH, pp. 103-104
- Deposition of Teri Whitehead, pp. 33-34, 37
- Deposition of Christopher Cahn, 30(b)(6) Representative for Morae Deposition

Transcript, pp. 220-225

Expert Reports

- Report of Defendants' Expert L Karl Branting, J.D., Ph.D.

Correspondences

- Correspondence with Dr. L Karl Branting, dated July 6, 2022
- Correspondence with Dr. L Karl Branting and Jimoh Ovbiagele, dated July 18, 2022

Publicly Available Documents

- Exhibit 1 (Ambrogi, Robert, "Westlaw's Days Are Numbered," <https://www.lawnext.com/2015/05/westlaws-days-are-numbered.html> (Accessed July 1, 2022))
- Exhibit 2 (Company History, <https://www.thomsonreuters.com/en/about-us/company-history.html> (Accessed June 27, 2022))
- Exhibit 3 (New York Times, "West Publishing Purchase By Thomson Is Approved," <https://www.nytimes.com/1996/06/20/business/the-media-business-west-publishing-purchase-by-thomson-is-approved.html> (Accessed July 1, 2022))
- Exhibit 4 (Thomson Reuters, 2021 Annual Report, p. 8, <https://ir.thomsonreuters.com/static-files/6938b043-b0c4-453f-842a-90ac19b5febd> (Accessed June 27, 2022))
- Exhibit 5 (Thomson Reuters 2021 Fact Book, available at <https://ir.thomsonreuters.com/financial-information/fact-book> (Accessed July 24, 2022))
- Exhibit 6 (ROSS Intelligence, "Our Company," <https://www.rossintelligence.com/about-us> (Accessed July 1, 2022))
- Exhibit 7 (ROSS Intelligence, "How is Natural Language Search Changing The Face of Legal Research?," <https://blog.rossintelligence.com/post/how-natural-language-search-changing-face-of-legal-research> (Accessed July 5, 2022))
- Exhibit 8 (ROSS Intelligence, "ROSS Intelligence Secures \$13 Million to Transform Legal Industry," <https://blog.rossintelligence.com/post/ross-intelligence-secures-13-million> (Accessed July 5, 2022))
- Exhibit 9 (ROSS Intelligence, "Announcement," <https://blog.rossintelligence.com/post/announcement> (Accessed July 1, 2022))

- Exhibit 10 (Stanford Law School, “West Key Number System,” <https://guides.law.stanford.edu/cases/keynumbersystem> (accessed July 22, 2022))
- Exhibit 11 (University of Arizona, “West Key Number System,” <https://libguides.library.arizona.edu/c.php?g=847161&p=6793295#s-lg-box-21620967> (accessed July 22, 2022))
- Exhibit 12 (Lemley, Mark A., and Bryan Casey. "Fair learning." *Tex. L. Rev.* 99 (2020): 743)
- Exhibit 13 (ScienceDaily, “Use artificial intelligence to identify, count, describe wild animals.” www.sciencedaily.com/releases/2018/06/180605124148.htm (accessed July 25, 2022))
- Exhibit 14 (YouTube, “Topic and Key Number Searching on Westlaw,” <https://www.youtube.com/watch?v=LM8BuBIED0o> (accessed July 27, 2022))
- Exhibit 15 (Westlaw Quick Reference Guide, “Searching with Terms and Connectors: Retrieving Documents on Westlaw,” <https://law.lclark.edu/live/files/9394-westlaw-terms-and-connectors-searching> (accessed July 27, 2022))
- Exhibit 16 (Foster, Lynn, and Bruce Kennedy. "Technological Developments in Legal Research." *J. App. Prac. & Process* 2 (2000): 275, p. 277)
- Exhibit 17 (Merriam-Webster, “artificial intelligence,” <https://www.merriam-webster.com/dictionary/artificial%20intelligence> (accessed June 24, 2022))
- Exhibit 18 (IBM, “Artificial Intelligence (AI),” <https://www.ibm.com/cloud/learn/what-is-artificial-intelligence> (accessed June 24, 2022))
- Exhibit 19 (Thomson Reuters, “Start Fall with Westlaw,” <https://lawschool.thomsonreuters.com/> (accessed July 31, 2022))
- Exhibit 20 (Sloan, Amy E. (2021) *Basic Legal Research: Tools and Strategies*, Eighth Edition. (Aspen Coursebook Series). Wolters Kluwer. Kindle Edition. Chapter 2. Understanding Search Options, Section B. Source-Driven Search Process)
- Exhibit 21 (“Editorial Enhancements,” <https://legal.thomsonreuters.com/en/products/westlaw/editorial-enhancements> (accessed July 31, 2022))

- Exhibit 22 (Thomson Reuters, “Westlaw: Our people. Your peace of mind,” <https://store.legal.thomsonreuters.com/law-products/westlaw-legal-research/q-and-a-with-robin-germandt-key-number-system> (accessed June 26, 2022))
- Exhibit 23 (Hellyer, Paul. "Assessing the influence of computer-assisted legal research: a study of California Supreme Court opinions." *Law Libr. J.* 97 (2005): 285)
- Exhibit 24 (Landes, William M., and Richard A. Posner. *The economic structure of intellectual property law*. Harvard university press, 2003. pp. 115-123)
- Exhibit 25 (Bell, Abraham, and Gideon Parchomovsky. "Propertizing fair use." *Va. L. Rev.* 107 (2021): 1255)
- Exhibit 26 (Thomson Reuters, “Product: Westlaw Edge,” <https://legal.thomsonreuters.com/en/products/westlaw-edge> (accessed May 1, 2022))
- *Ty, Inc. v. Publications International Ltd.* 292 F.3d 512, 517 (7th Cir. 2002)
- Complementarity-An Essay on the 40th Anniversary of the Hicks-Allen Revolution in Demand Theory.” *Journal of Economic Literature* 12, no. 4 (1974): 1255–89
- Stern, David I. “Elasticities of Substitution and Complementarity.” *Journal of Productivity Analysis* 36, no. 1 (2010): 79–89
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- Google's Response RE Fourth Fair Use Factor (United States District Court Northern District of California San Francisco Division April 20, 2017)
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- Gordon, Wendy J. “Fair Use as Market Failure: A Structural and Economic Analysis of the ‘Betamax’ Case and Its Predecessors.” *Columbia Law Review* 82, no. 8 (1982): 1600
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- Hook, Peter A., and Kurt R. Mattson. "Surprising Differences: An Empirical Analysis of LexisNexis and West Headnotes in the Written Opinions of the 2009 Supreme Court Term." Law Library Journal 109 (2018)
- 4 Nimmer on Copyright § 13.05 (2022)
- Sega Enterprises Ltd. v. Accolade, Inc., 977 F.2d 1510 (9th Cir. 1992)
- Sony Computer Entertainment, Inc. v. Connectix Corp., 203 F.3d 596, 607 (9th Cir. 2000)
- Kwok, Kelvin Hiu Fai. "Google book search, transformative use, and commercial intermediation: an economic perspective." Yale JL & Tech. 17 (2015): 283.

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- TR-0179830
- TR-0179838
- TR-0179843
- TR-0044730
- TR-0526552
- TR-0179884
- TR-0734270
- TR-0179887
- TR-0179889

- TR-0179885
- TR-0179877
- TR-0179884
- TR-0179863
- TR-0179876
- TR-0179867
- ROSS-003332368
- ROSS-000000001
- TR-0036336
- TR-0037669
- TR-0000030
- TR-0836004

EXHIBIT 19

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

THOMSON REUTERS ENTERPRISE)	
CENTRE GMBH and WEST PUBLISHING)	
CORPORATION,)	
)	C.A. No. 20-613-SB
Plaintiffs/ Counterdefendants)	
)	CONFIDENTIAL, HIGHLY
v.)	CONFIDENTIAL – ATTORNEYS’
)	EYES ONLY
ROSS INTELLIGENCE INC.,)	
)	
Defendant/ Counterclaimant.)	

EXPERT REPORT OF BARBARA FREDERIKSEN-CROSS

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INTRODUCTION

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[REDACTED]

EXPERIENCE AND QUALIFICATIONS

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[REDACTED]

3. [REDACTED]

[REDACTED]

¹ Ex. A, Curriculum Vitae of B. Frederiksen.

[REDACTED]

4. [REDACTED]

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5. [REDACTED]

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11. [REDACTED]

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CONFIDENTIALITY

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MATERIALS CONSIDERED

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15. [REDACTED]

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² [REDACTED]

³ Plaintiffs’ Second Supplemental Responses and Objections to Defendant and Counterclaimant ROSS Intelligence, Inc.’s Interrogatory No. 1, at 10 (Mar. 23, 2022) (“Plaintiffs’ Sec. Supp. Response to Interrogatory No. 1”).

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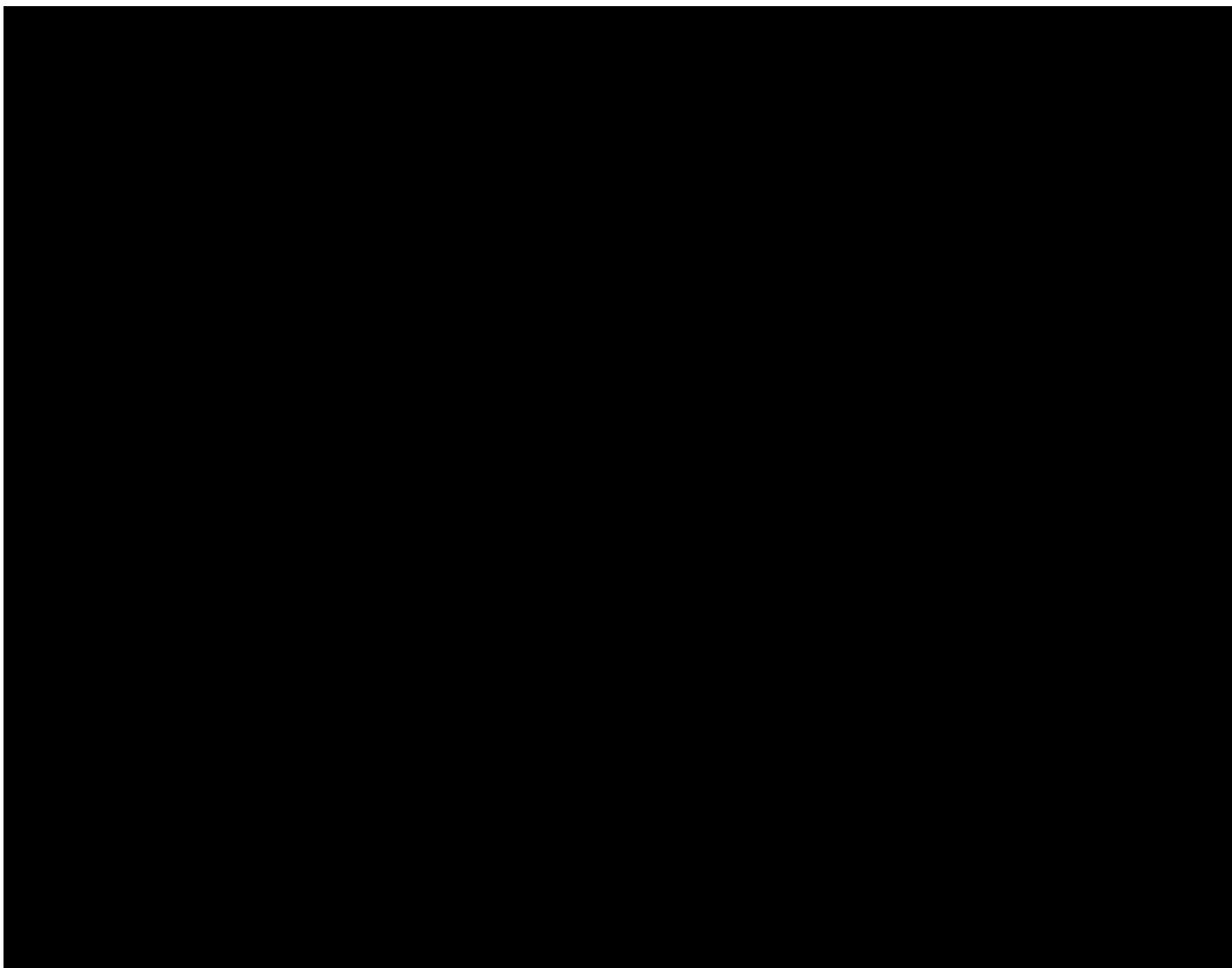
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- [REDACTED]

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21. [REDACTED]

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OVERVIEW OF HOW ROSS USED MEMOS

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[REDACTED]
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24. [REDACTED]
[REDACTED]

⁶ ROSS-003411169; ROSS-003332368.

⁷ Tomas van der Heijden Dep. Ex. 96 (Jan. 28, 2020) (“van der Heijden 2020 Dep.”).

⁸ van der Heijden 2020 Dep. Ex. 111.

⁹ van der Heijden 2020 Dep. Ex. 111.

¹⁰ van der Heijden 2020 Dep. 151:16 – 152:4; van der Heijden 2020 Dep. EX 111.

¹¹ van der Heijden 2020 Dep. Ex. 111.

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Data Flow – ROSS Bulk Memo Project

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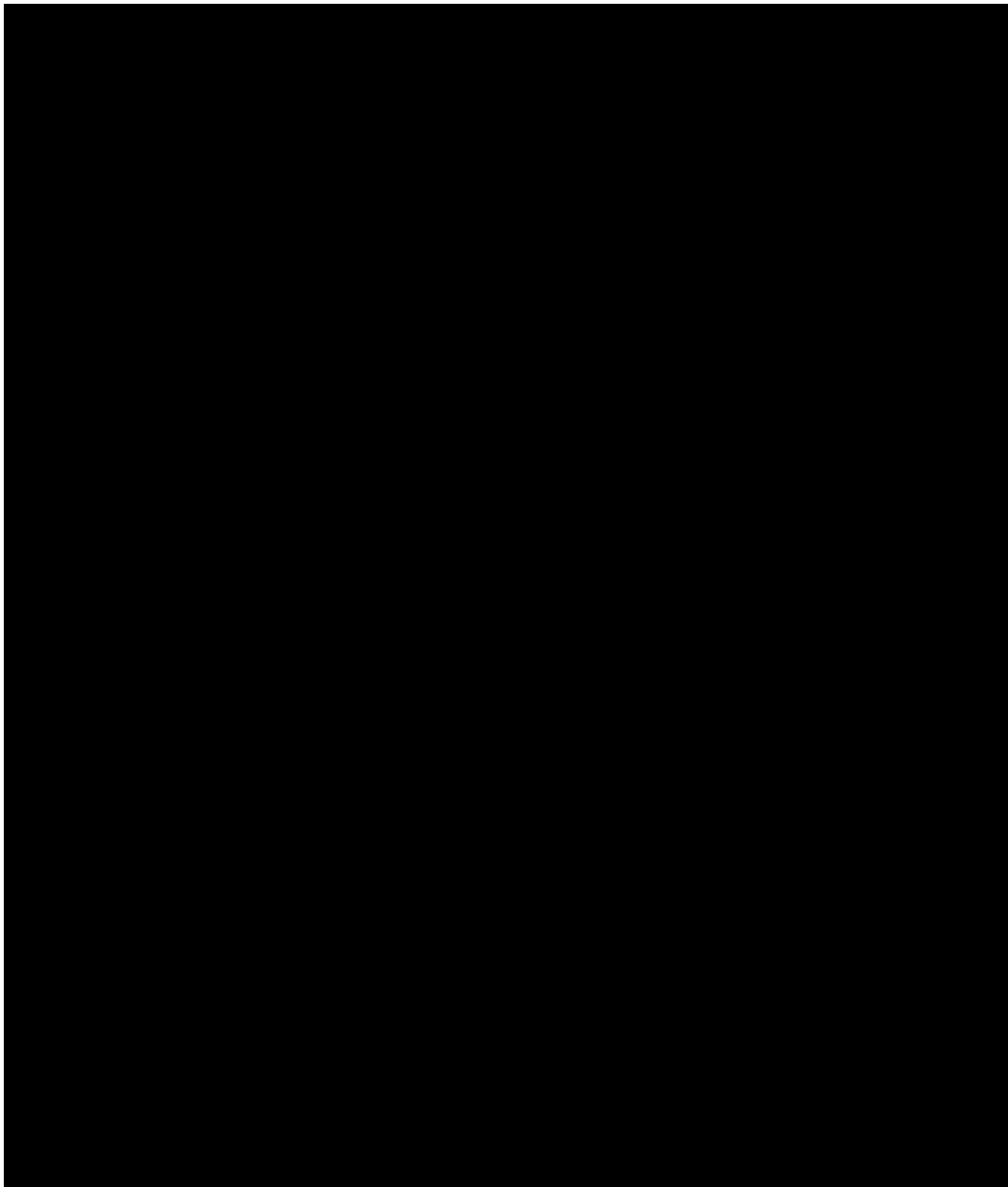
26. [REDACTED]

[REDACTED]

¹² van der Heijden 2020 Dep. 151:16 – 152:4; van der Heijden 2020 Dep. Ex. 111.

¹³ van der Heijden 2020 Dep. 77:3-10;78:8-79:7; *see also* Deposition of Ed Walters 182:5-18 (Mar. 1, 2022) (“Walters Dep.”); ROSS-009721314.

¹⁴ ROSS-003332368.



27.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

MATERIALS RECEIVED AND RELIED ON

Memos

28. [REDACTED]

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29. [REDACTED]

[REDACTED]

Identifying the ROSS Memo Format

30. [REDACTED]

[REDACTED]

31. [REDACTED]

[REDACTED]

¹⁵ ROSS-000080391.

¹⁶ van der Heijden 2020 Dep. 254:21-255:13.

¹⁷ The list of Bate #s are identified in Exhibit G.

¹⁸ Plaintiffs' Sec. Supp. Response to Interrogatory No. 1.

[REDACTED]

[REDACTED]

32.

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¹⁹ ROSS-003332368.

33. [REDACTED]
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Plaintiffs' Production –Judicial Opinions

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36. [REDACTED]
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37. [REDACTED]
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Data Lake

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41.

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ROSS Spreadsheets

42.

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43.

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²¹ \van der Heijden Dep. 82:5-8.

²² [REDACTED]

²³ Plaintiffs' Sec. Supp. Response to Interrogatory No. 1.

Mongo DB Data

44.

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Processing ROSS Memos

46.

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47.

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²⁵ ROSS-003332368.

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57. [REDACTED]
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26 [REDACTED]

27 See <https://github.com/BurntSushi/ripgrep>.
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Processing Plaintiffs' Production of Judicial Opinions

62. [REDACTED]
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Identifying A Document's Format Style

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Extraction of Headnotes

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ANALYSIS PROCESSES

Searching the Judicial Opinion for a Headnote

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³⁴ See Exhibit N.

[REDACTED]

93. [REDACTED]

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108. [REDACTED]

[REDACTED]

Pre-Processing, Fuzzy Matching, and Proximity Ranking

Overview

109. [REDACTED]

[REDACTED]

110. [REDACTED]

[REDACTED]

111. [REDACTED]

[REDACTED]

112. [REDACTED]

[REDACTED]

[REDACTED]

113. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

114. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

115. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

37 [REDACTED]

[REDACTED]

[REDACTED]

Details of Proximity Ranking Process

117. [REDACTED]

[REDACTED]

118. [REDACTED]

[REDACTED]

40 [REDACTED]

⁴¹ Nathaniel Gustafon, *et al*, *Nowhere to Hide: Finding Plagiarized Documents Based on Sentence Similarity*, In Proceedings of the 28 IEEE/WIC/ACM Int'l Conference on Web Intell., (Dec. 9, 2008), available at <https://scholarsarchive.byu.edu/cgi/viewcontent.cgi?article=1149&context=facpub> (last visited July 31, 2022).

[REDACTED]

119. [REDACTED]

[REDACTED]

120. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁴² Christopher Fox, *A Stop List for General Text*, <https://dl.acm.org/doi/pdf/10.1145/378881.378888> (last visited July 30, 2022)

⁴⁴ Adam D. Troy & Guo Qiang Zhang, *Enhancing Relevance Scoring with Chronological Term Rank*, <https://lintool.github.io/robust04-analysis-papers/p599-troy.pdf> (last visited Aug. 1, 2022); Martin Potthast, *et al*, *Overview of the 2nd Inter'l Competition on Plagiarism Detection*, <https://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.174.2205&rep=rep1&type=pdf> (last visited Aug. 1, 2022); *see also* Gustafson, *supra* 41.

Stop Words

121.

[REDACTED]

Pick Candidate pairs

122.

[REDACTED]

123.

[REDACTED]

124.

[REDACTED]

⁴⁵ See also https://raw.githubusercontent.com/nltk/nltk_data/gh-pages/packages/corpora/stopwords.zip (last visited July 30, 2022).

⁴⁶ [REDACTED]

Additional scoring

125.

[REDACTED]

126.

[REDACTED]

127.

[REDACTED]

128.

[REDACTED] ion

129.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

130.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

131. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

132. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

-
- | Category | Value (approximate) |
|------------|---------------------|
| Category 1 | 15 |
| Category 2 | 100 |
| Category 3 | 95 |
| Category 4 | 98 |

133. [REDACTED]

[REDACTED]

[REDACTED].

134. [REDACTED]

48 [REDACTED]

⁴⁹ Alberto Barrón-Cedeño and Paolo Rosso *On Automatic Plagiarism Detection Based on n-Grams Comparison* (2009), <https://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.459.2488&rep=rep1&type=pdf>

[REDACTED]

135. [REDACTED]

136. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁵⁰ <https://www.postgresql.org/docs/9.1/pgtrgm.html> (last visited July 31, 2022).

⁵¹ [REDACTED]

[REDACTED]

⁵² [REDACTED]

[REDACTED]

⁵³ [REDACTED]

[REDACTED]

[REDACTED]

137. [REDACTED],

- [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]

138. [REDACTED]

[REDACTED]
[REDACTED]

Findings

139. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

54 [REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

140.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

141. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

142. [REDACTED]

- [REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]

- [REDACTED]
[REDACTED].
- [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

143.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

144.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

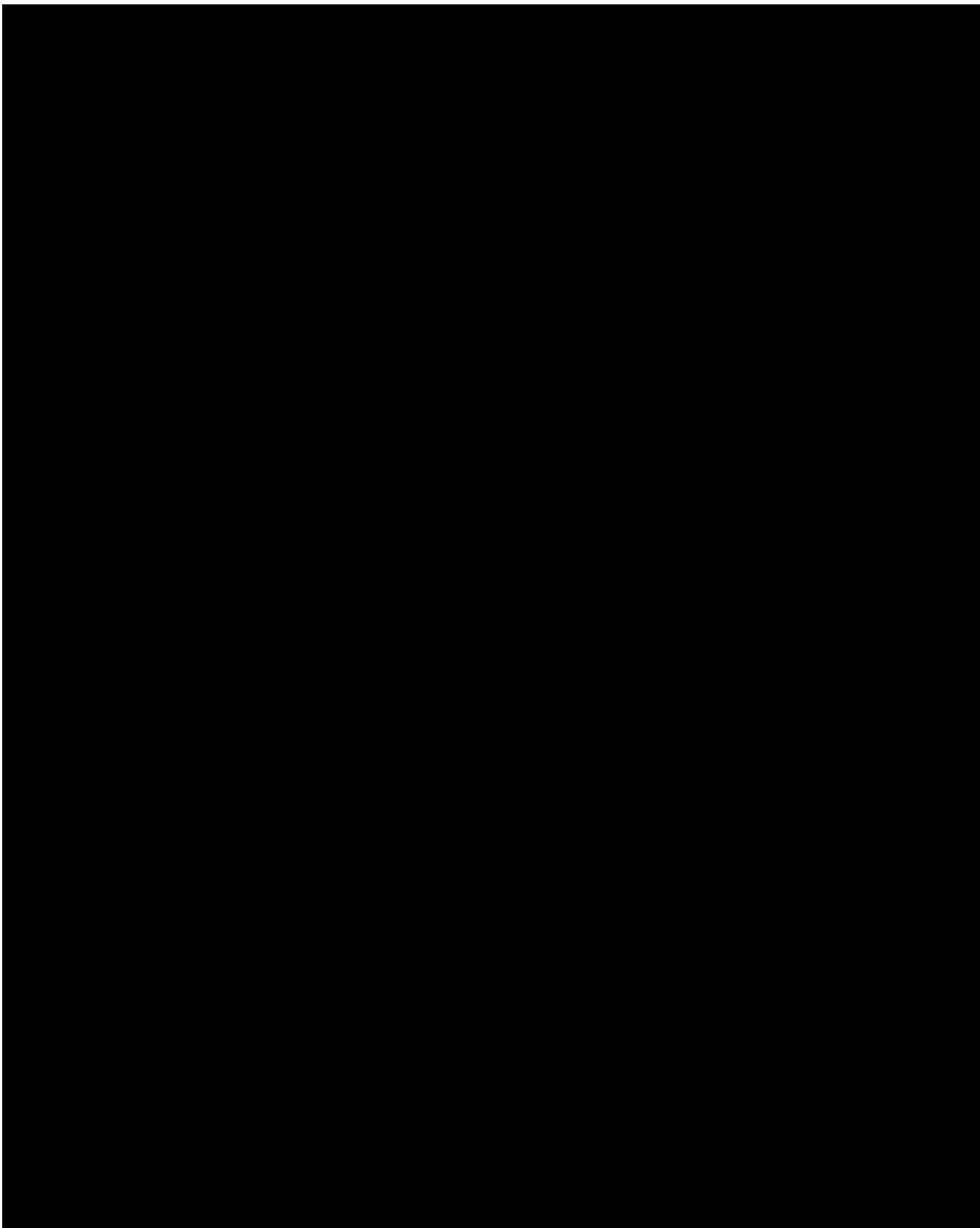
145.

[REDACTED]

146.

[REDACTED]

[REDACTED]



147.

[REDACTED]
[REDACTED]
[REDACTED].

148.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

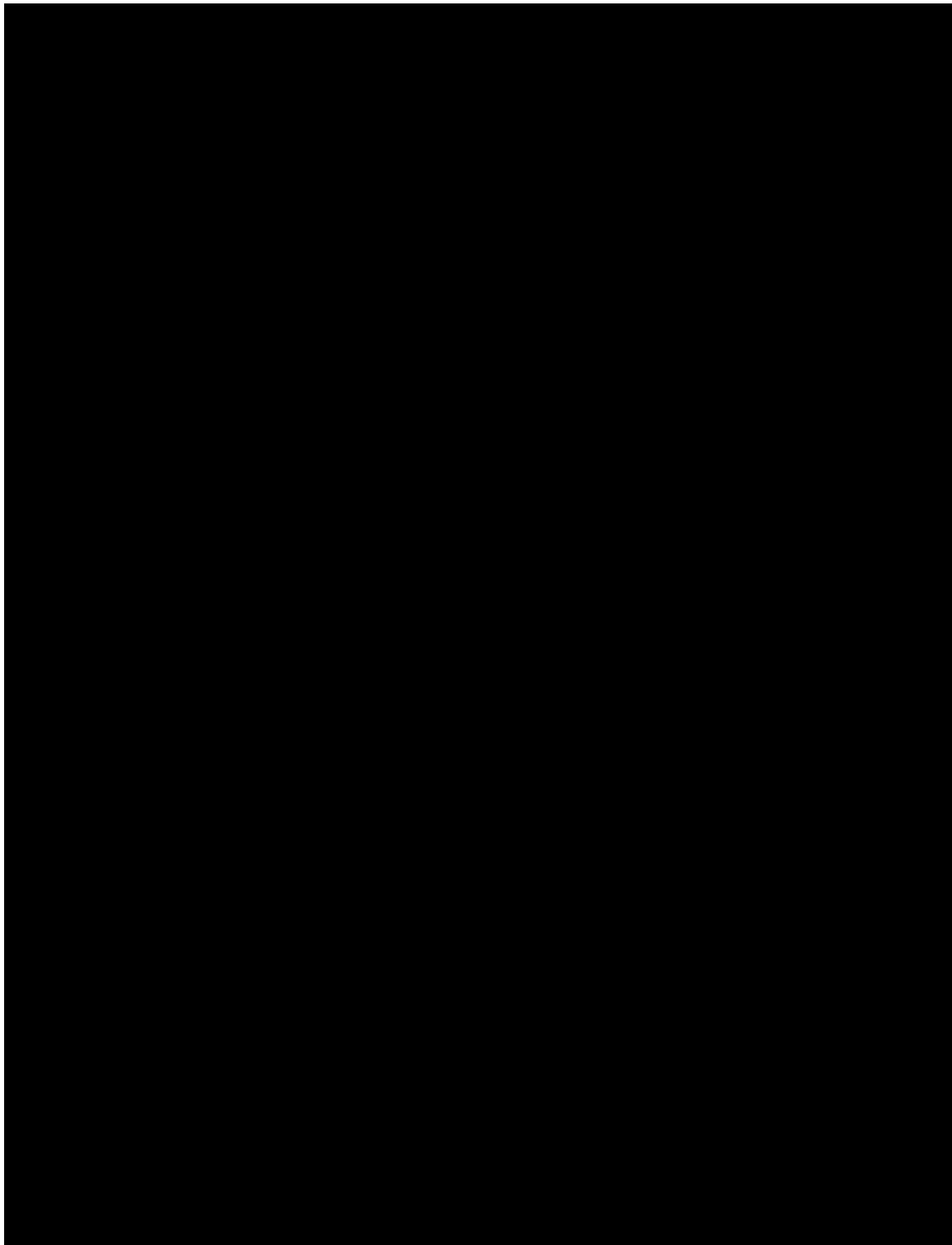
149.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

150.

[REDACTED]
[REDACTED]:

[REDACTED]



[REDACTED]

151. [REDACTED]

[REDACTED]

[REDACTED]

152. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

153. [REDACTED]

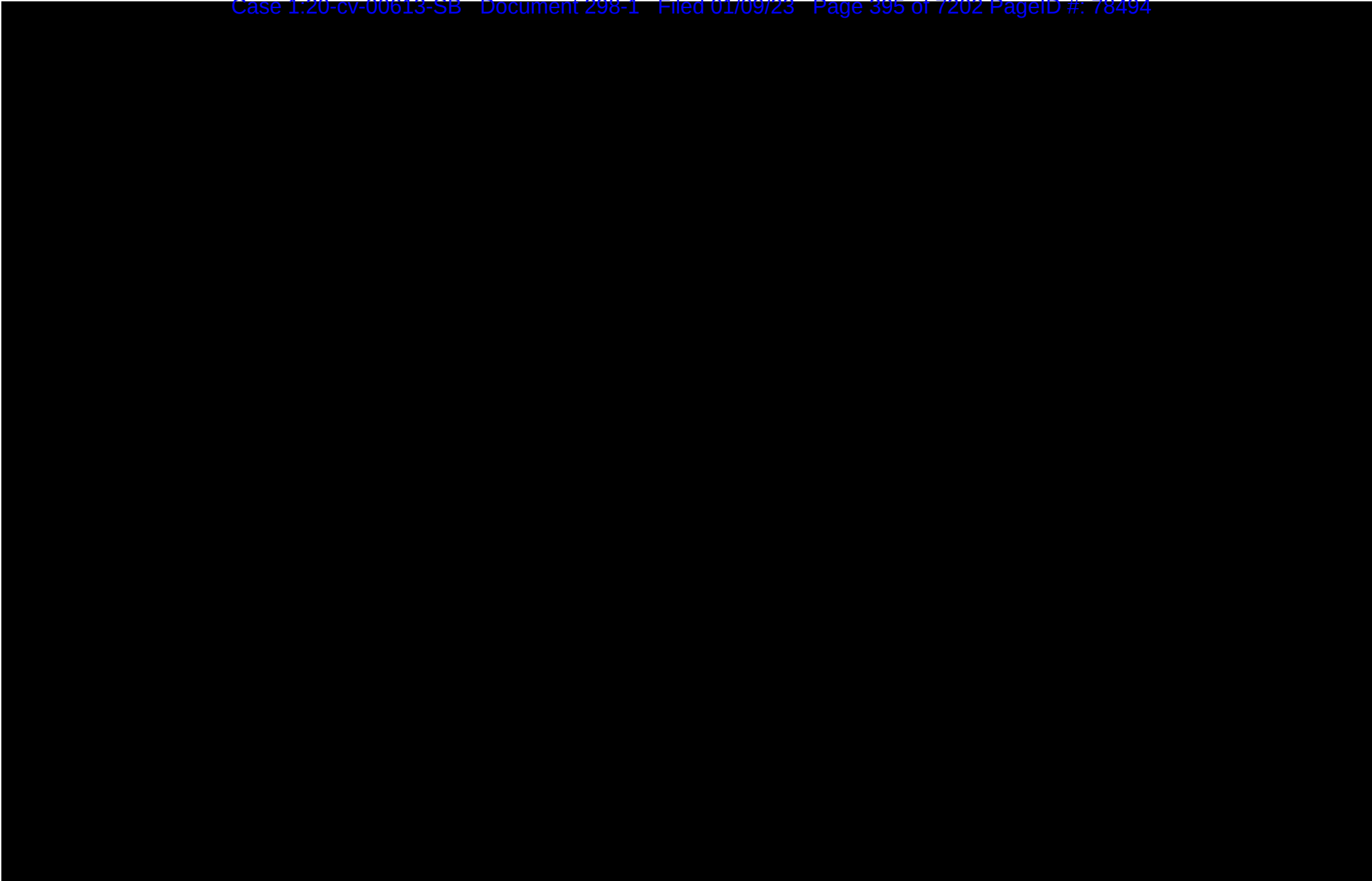
[REDACTED]

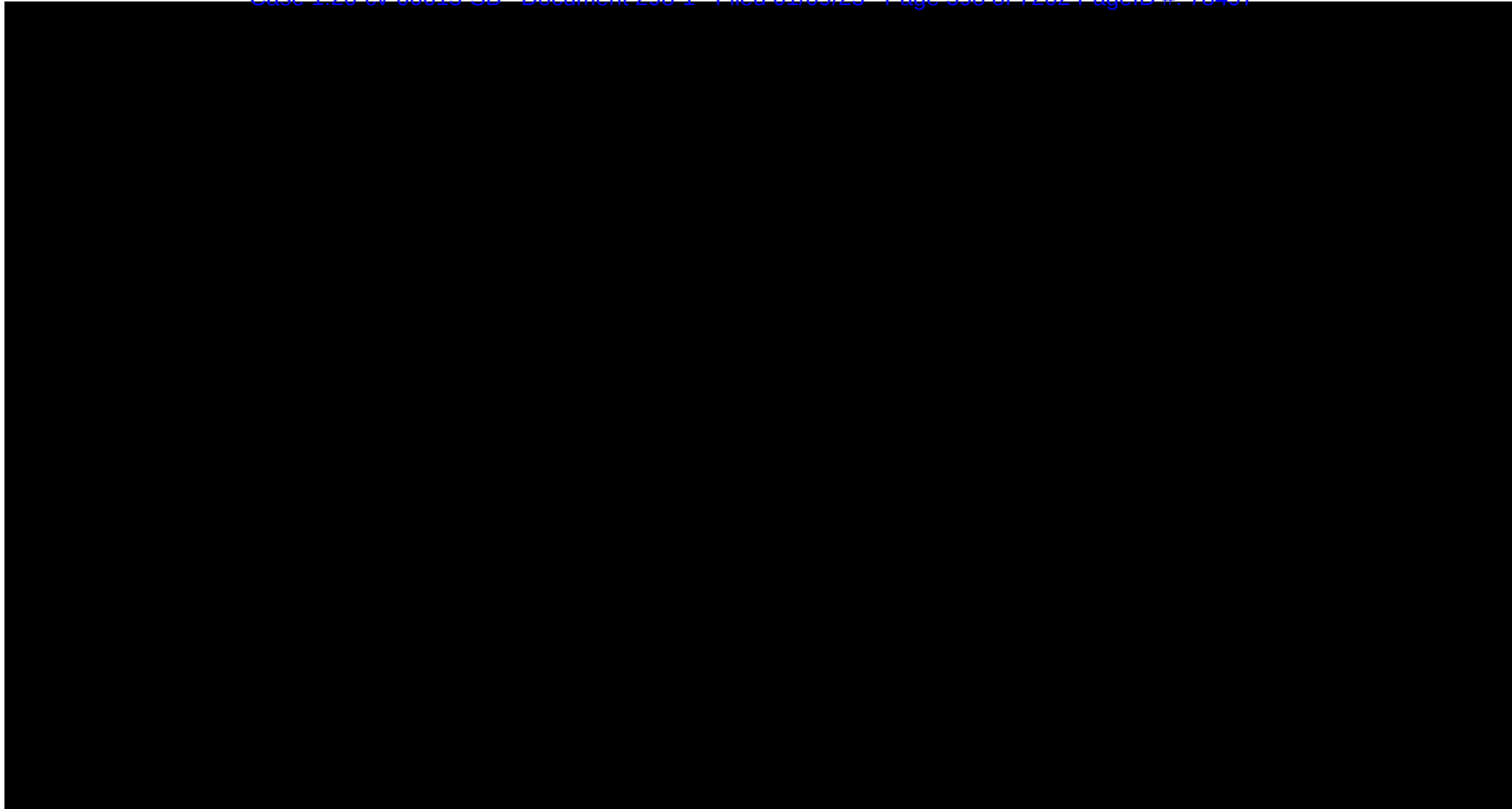
Date: August 1, 2022

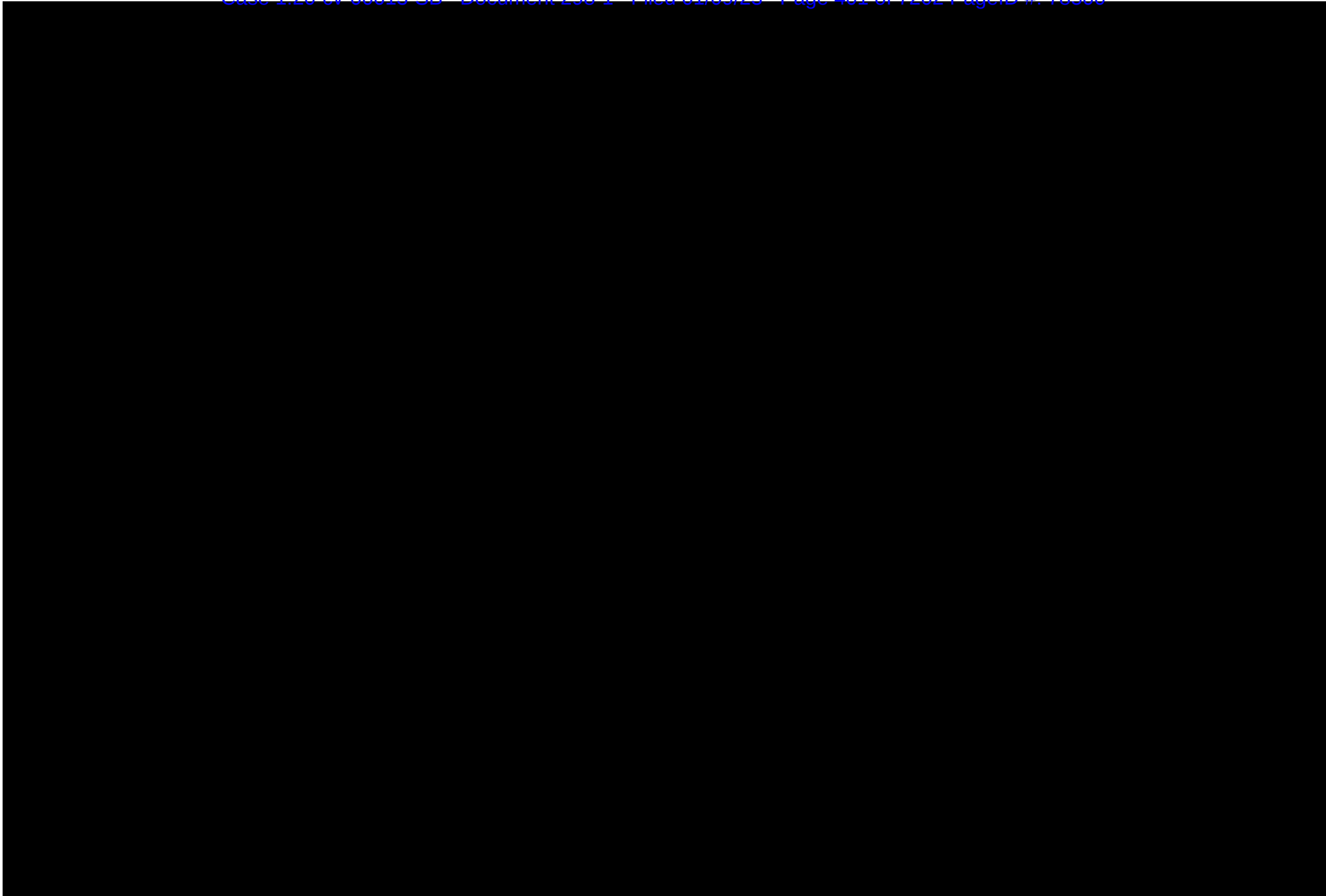
Barbara A. Frederiksen-Cross

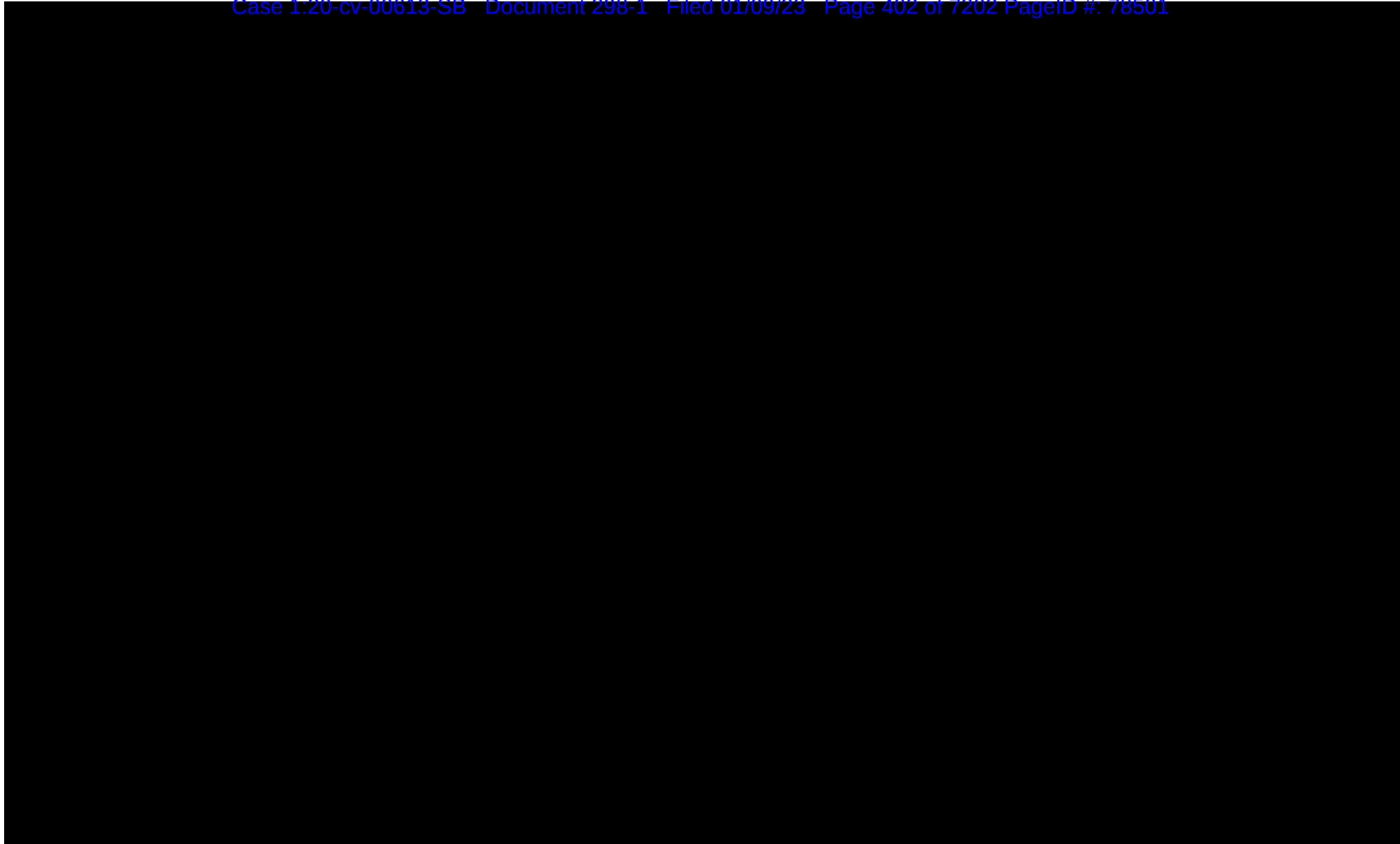
Barbara Frederiksen-Cross
Director, Litigation Services
JurisLogic LLC

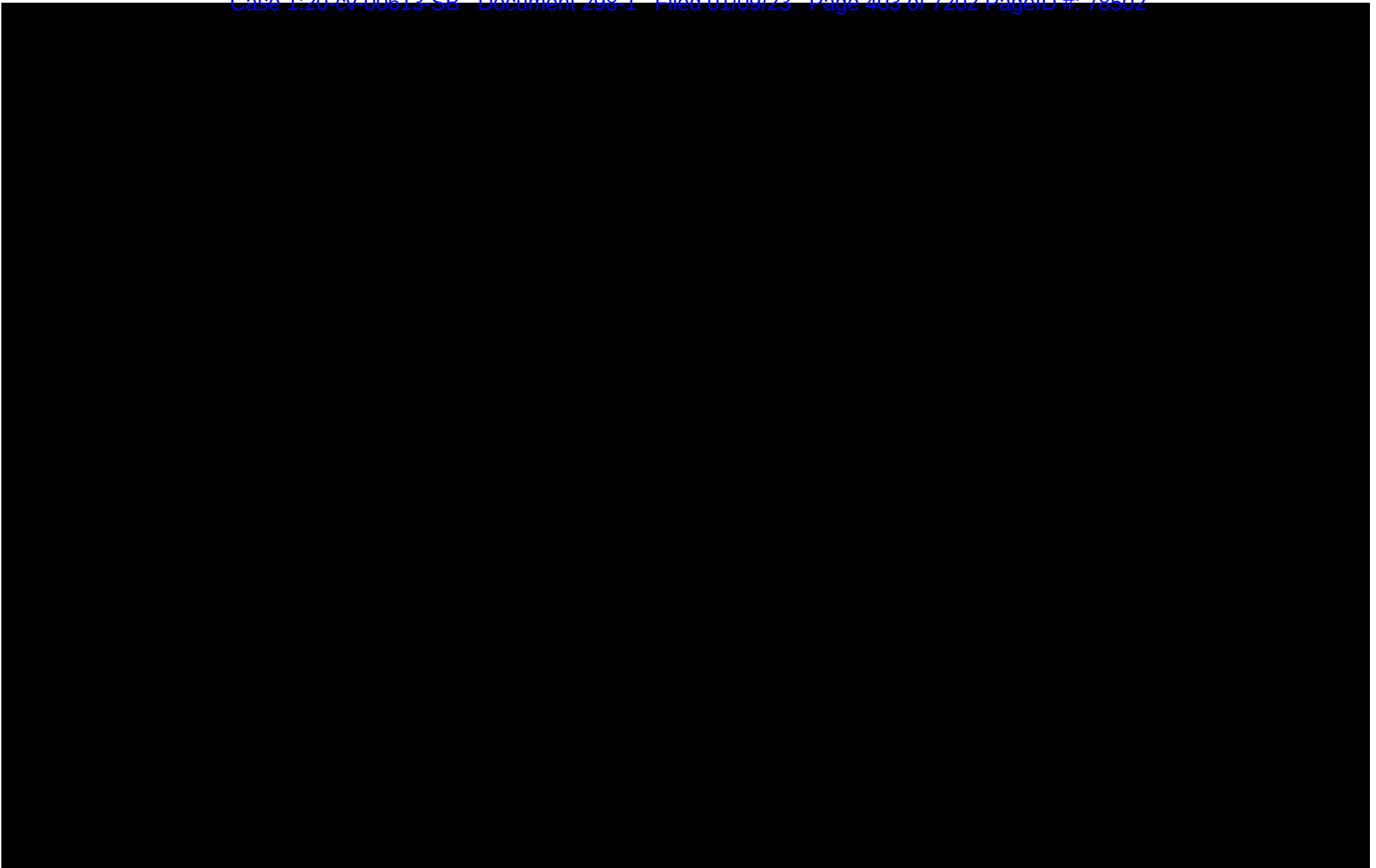
EXHIBIT 20

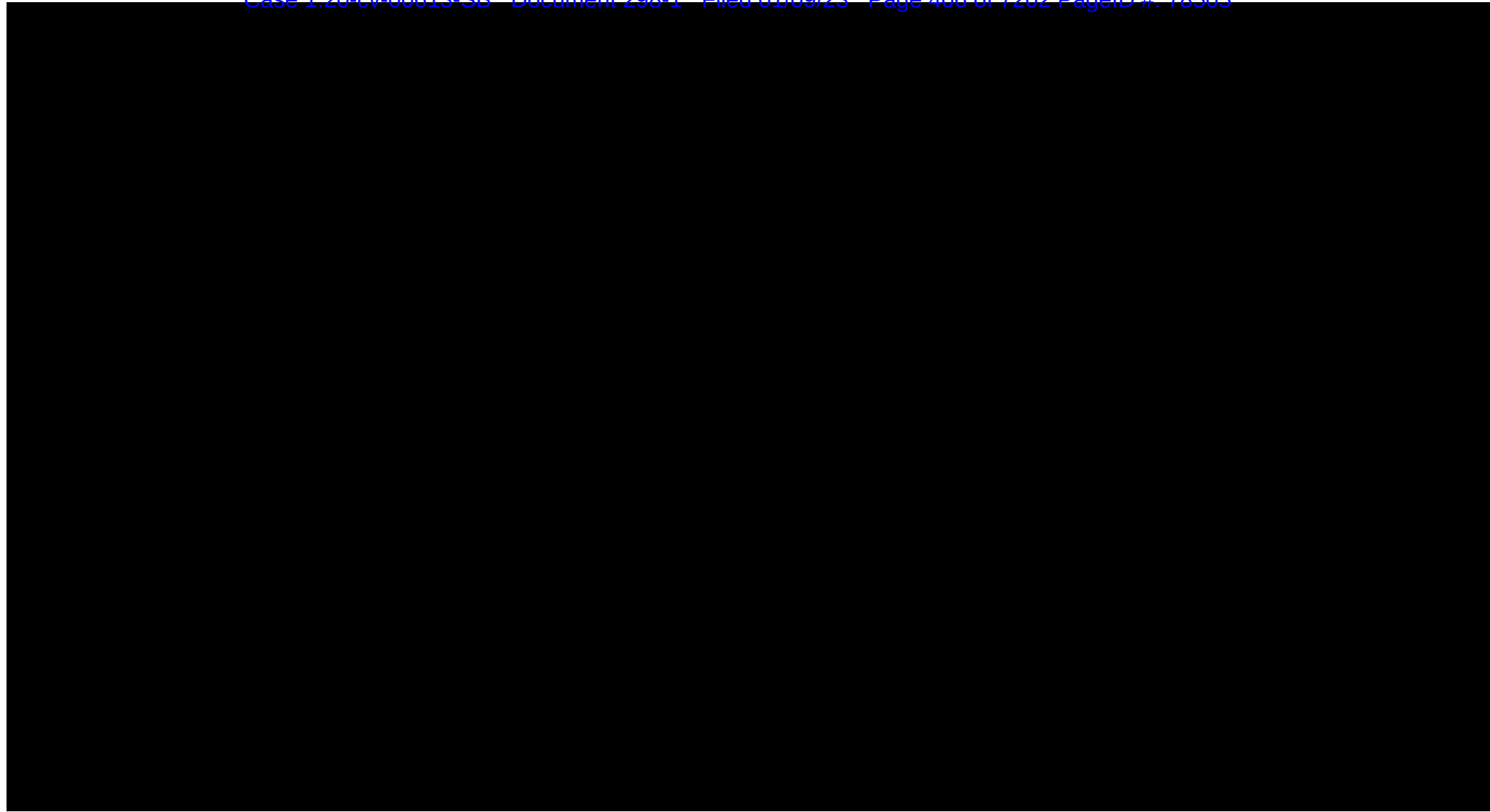


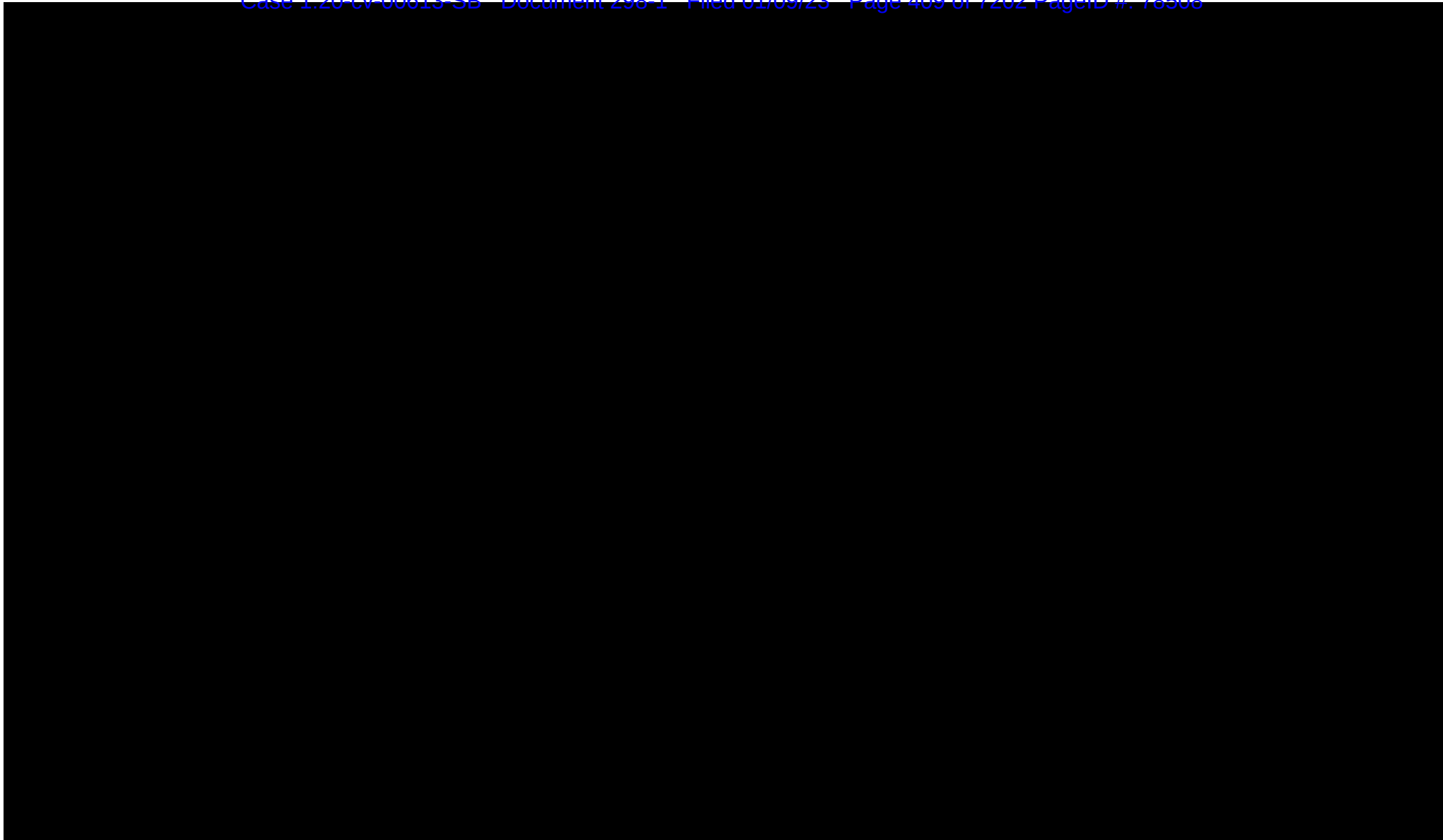


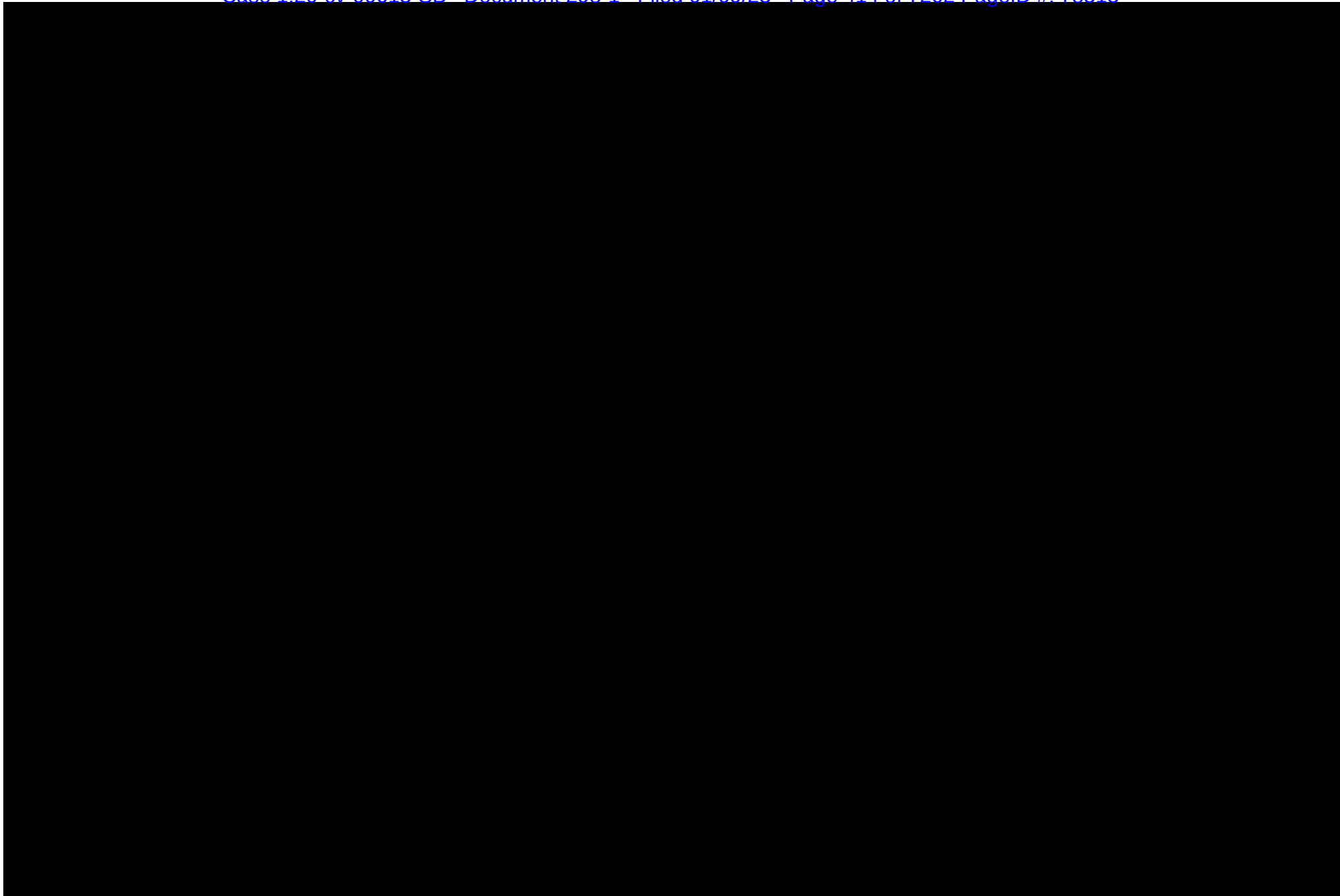


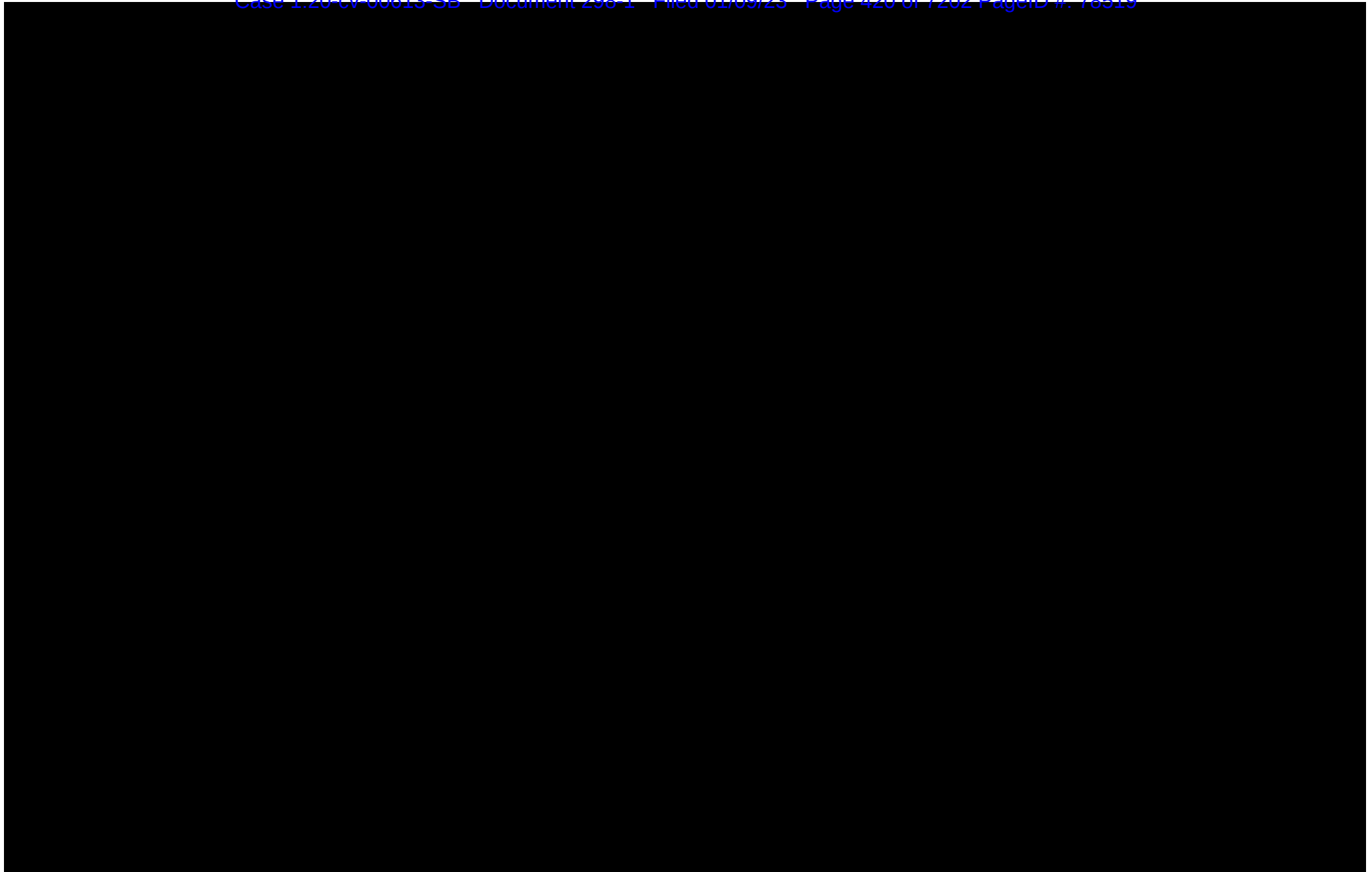


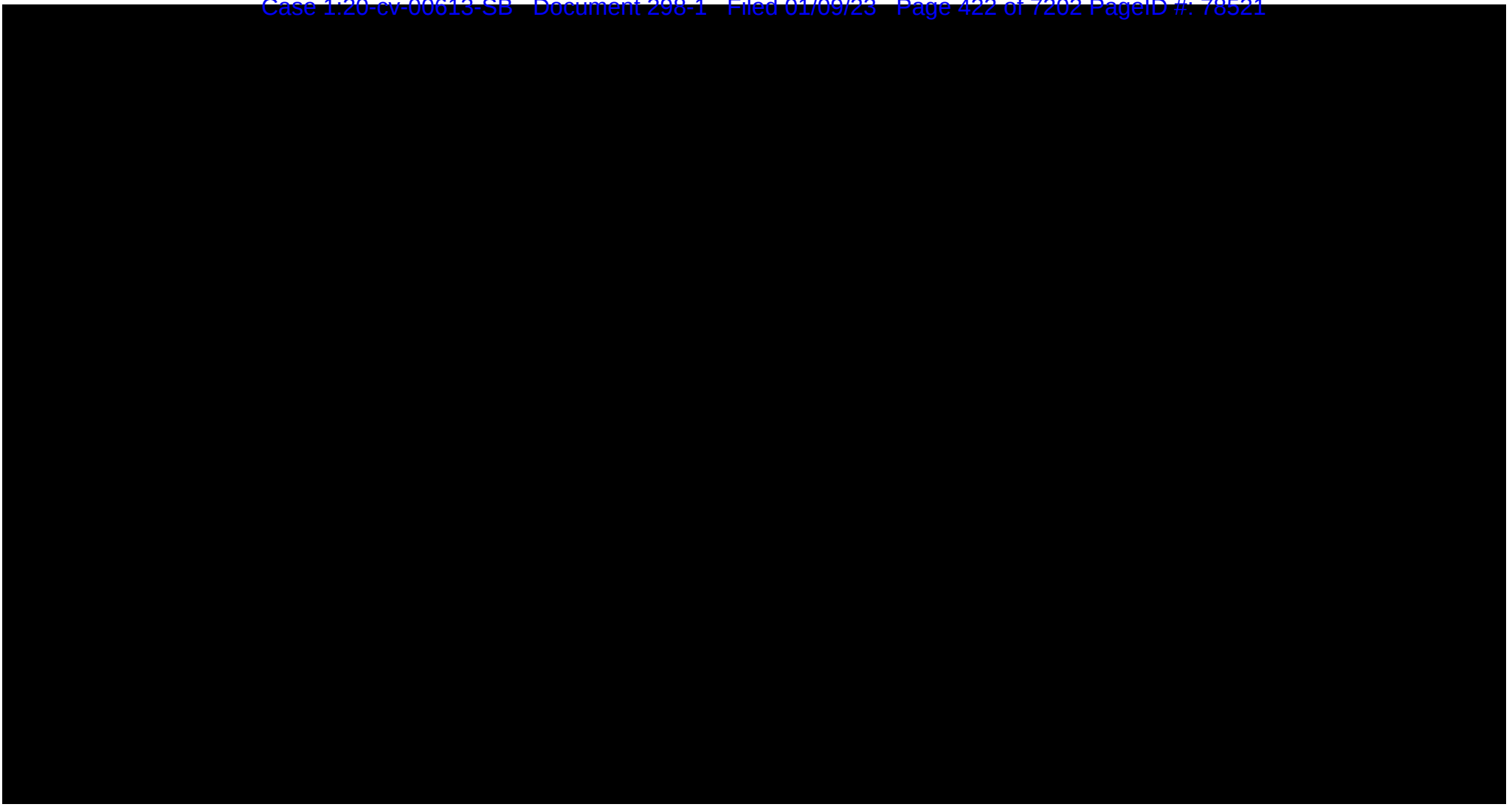


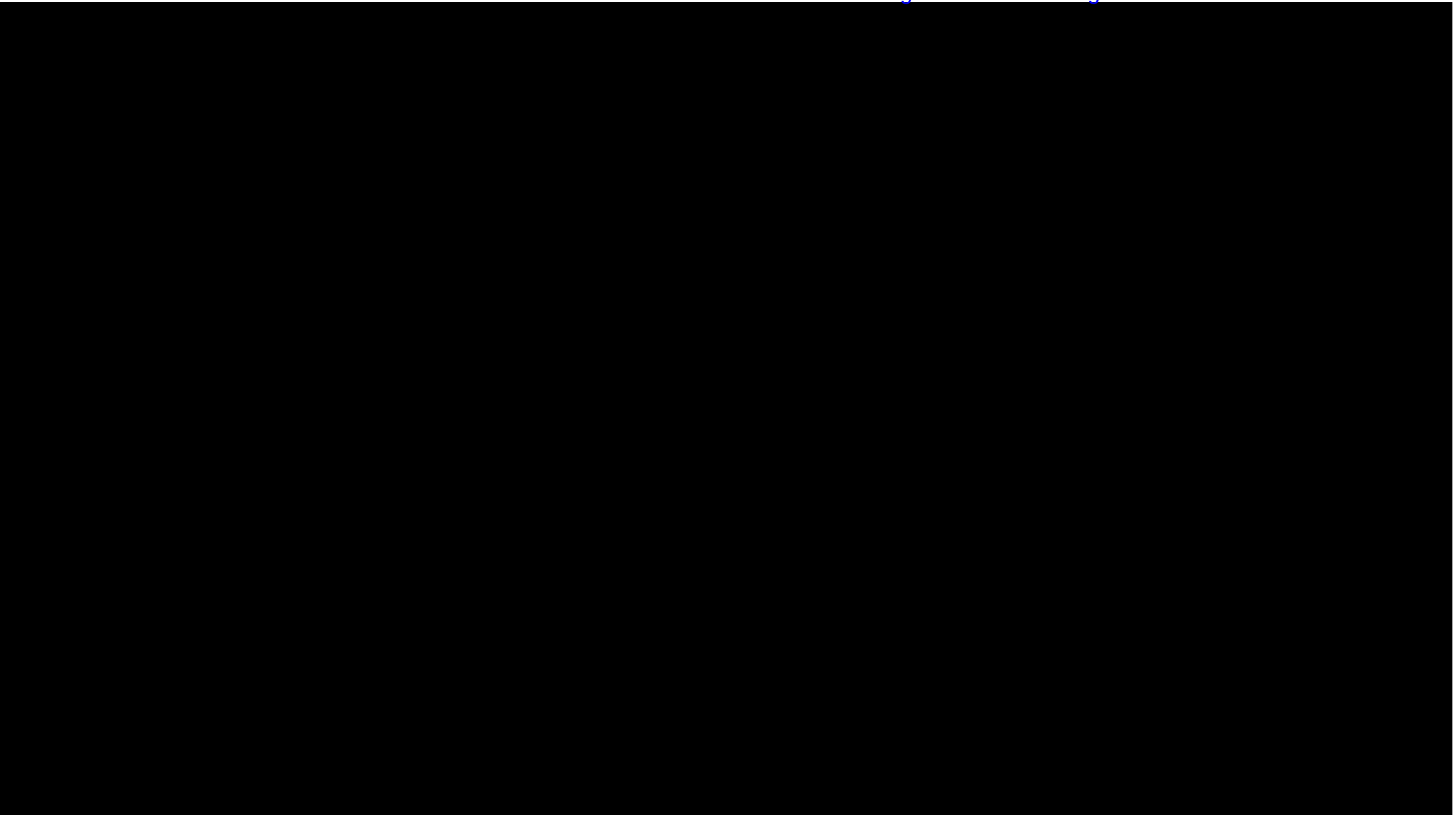


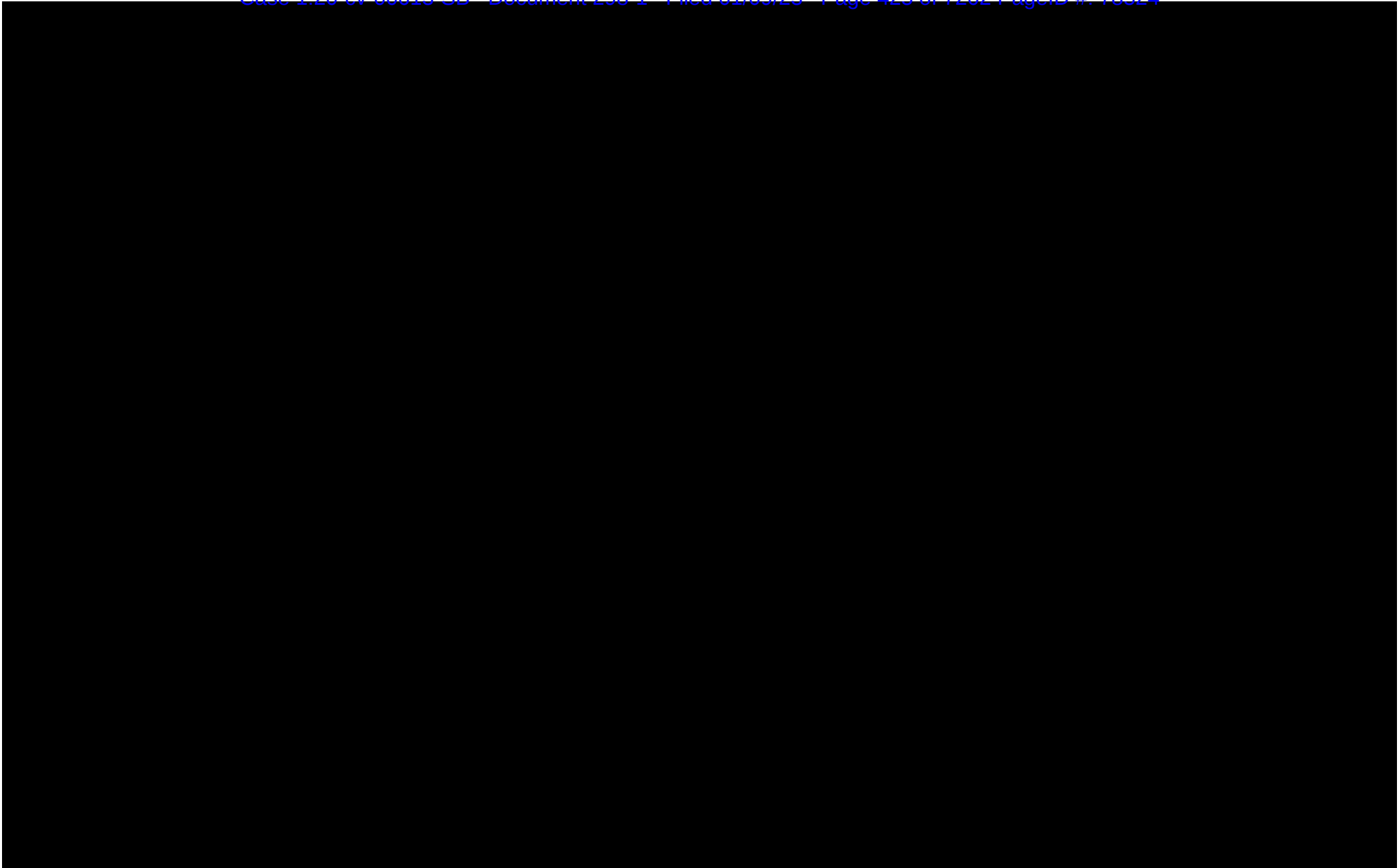


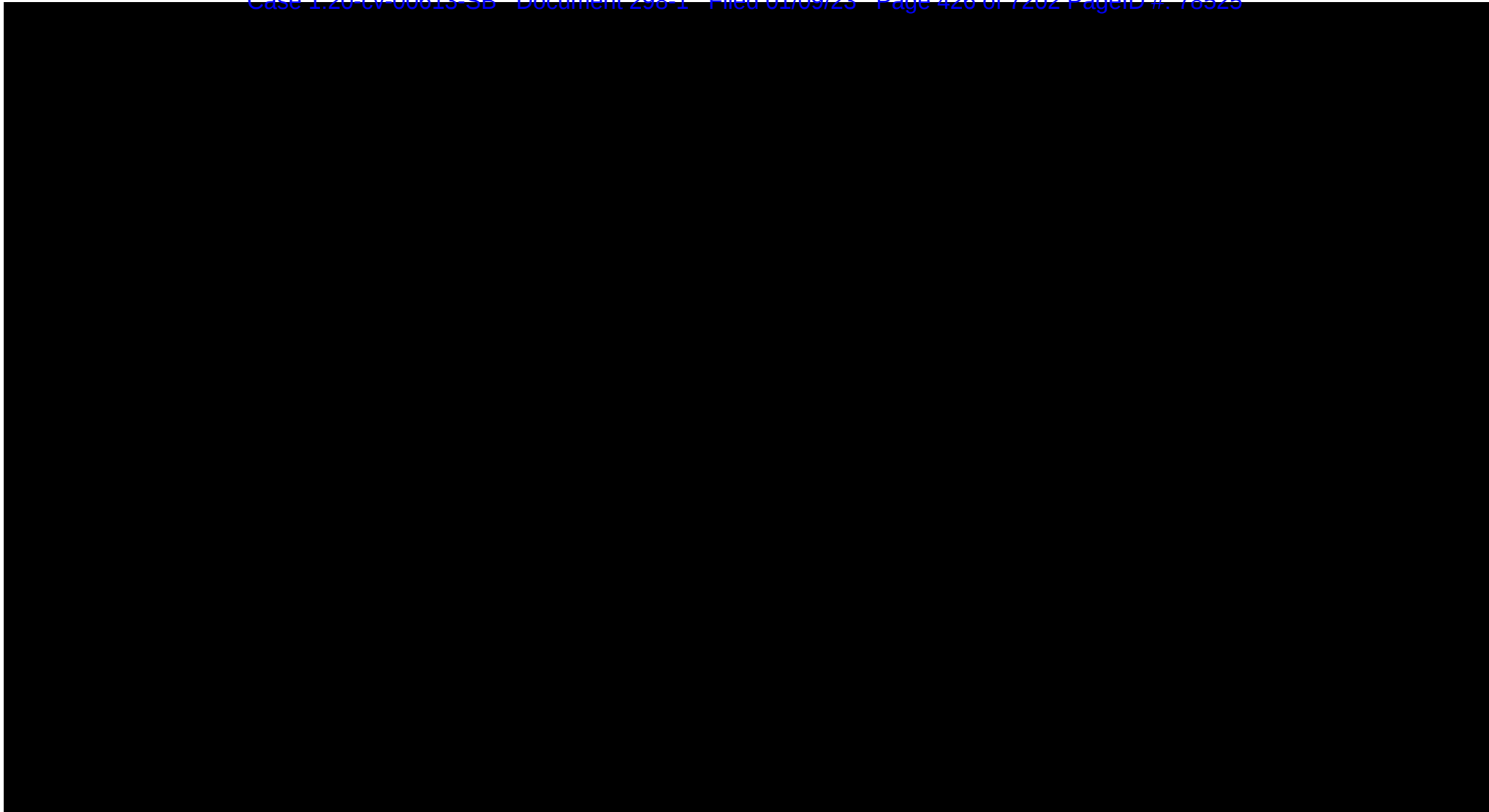


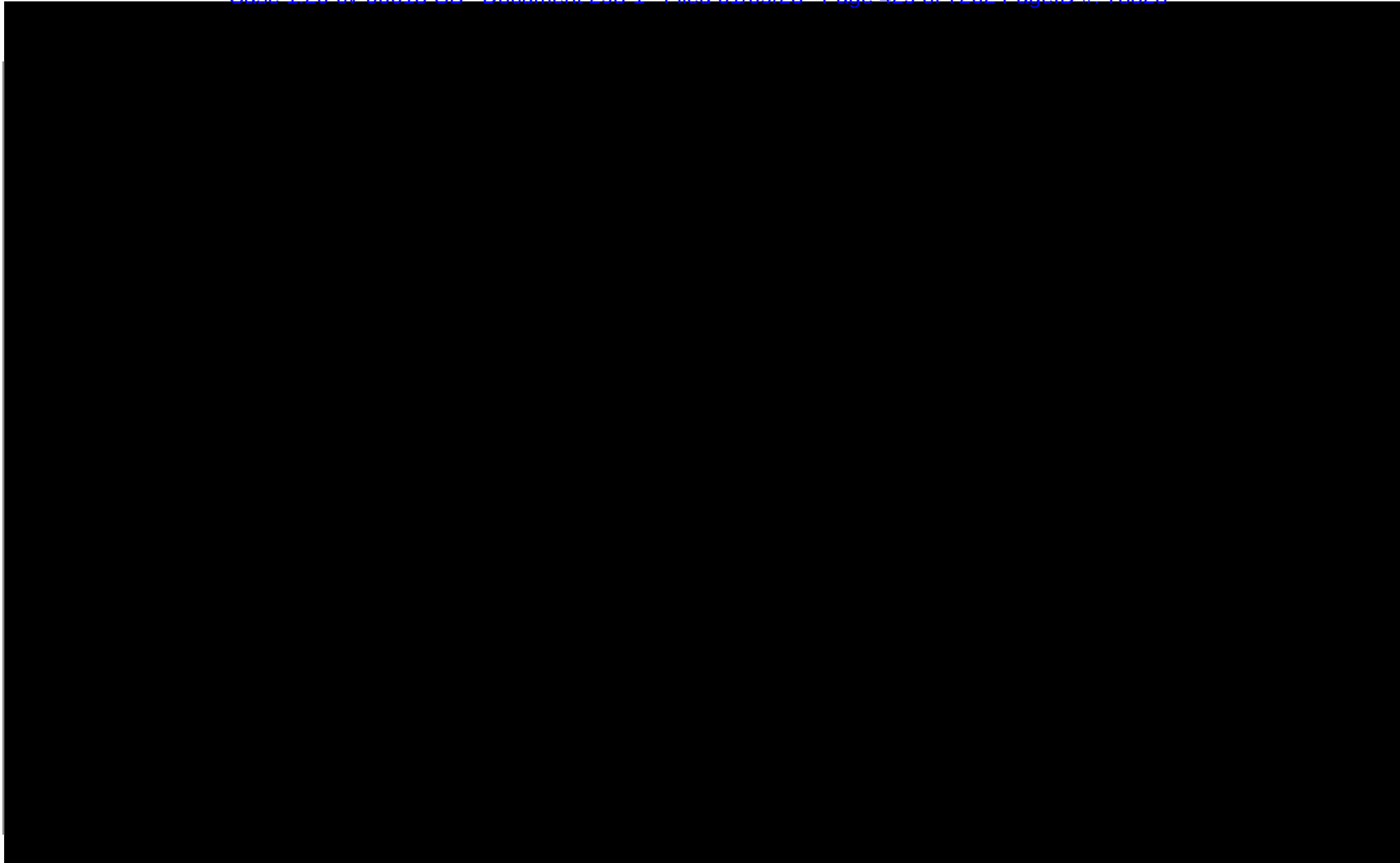


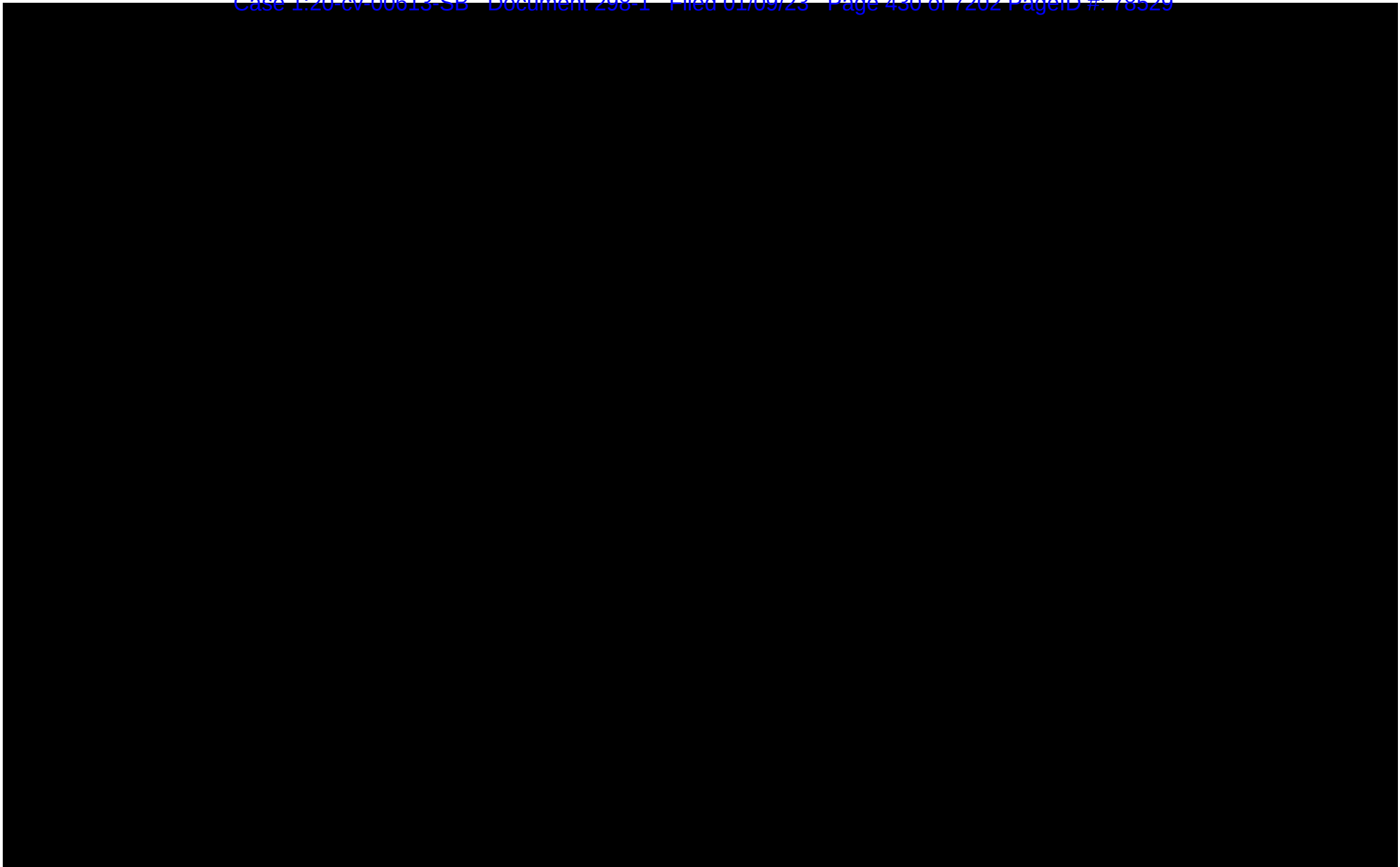


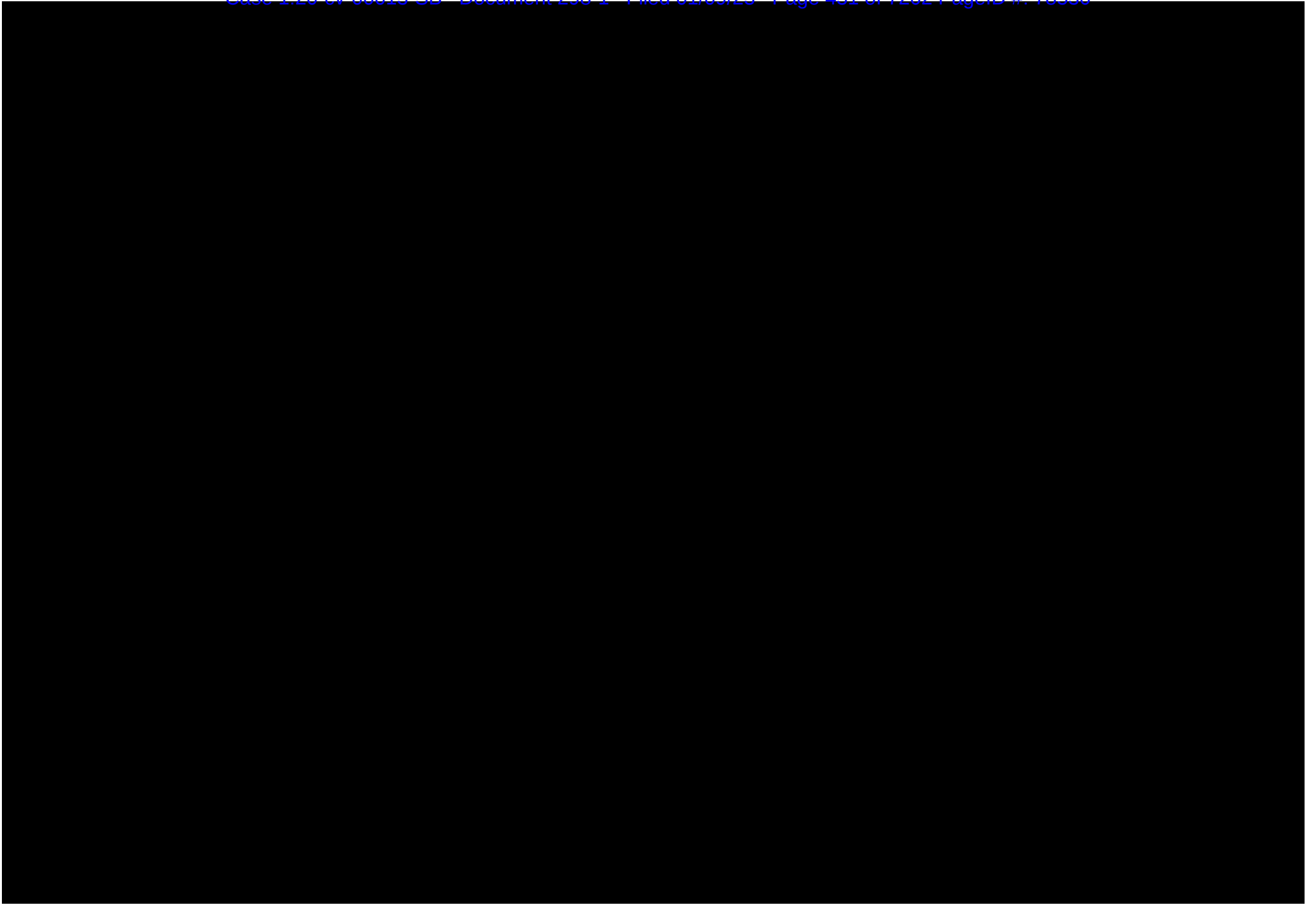


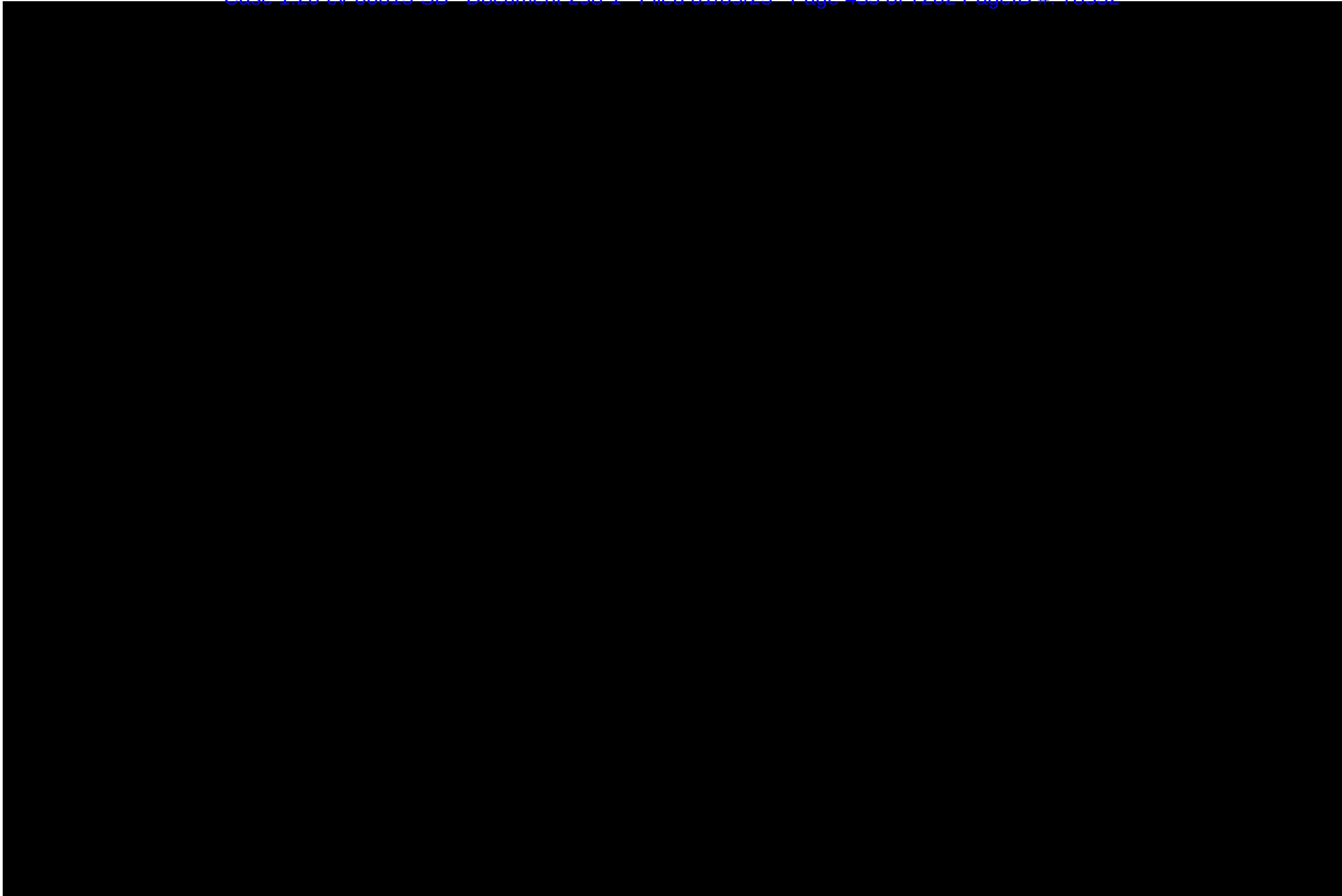


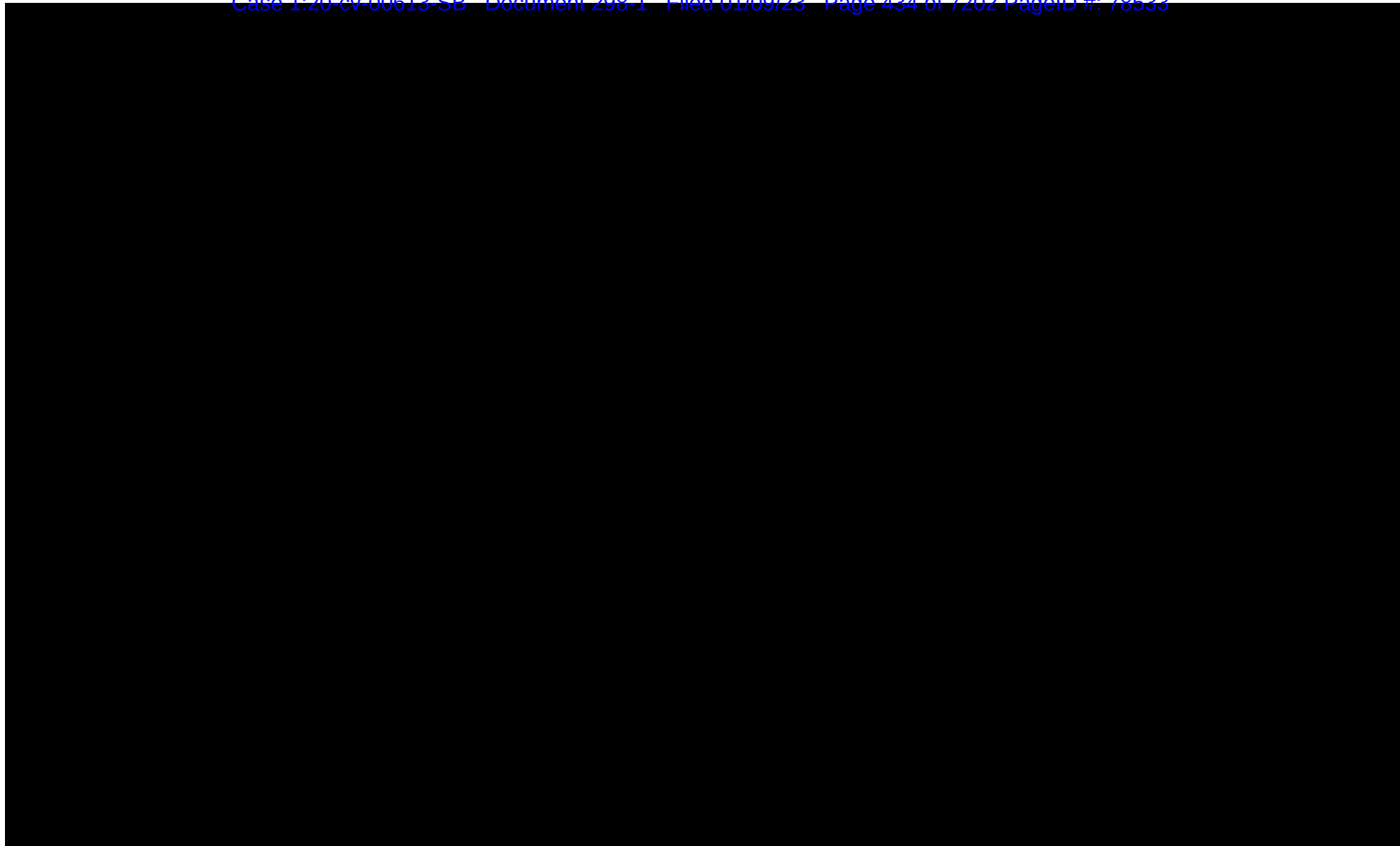


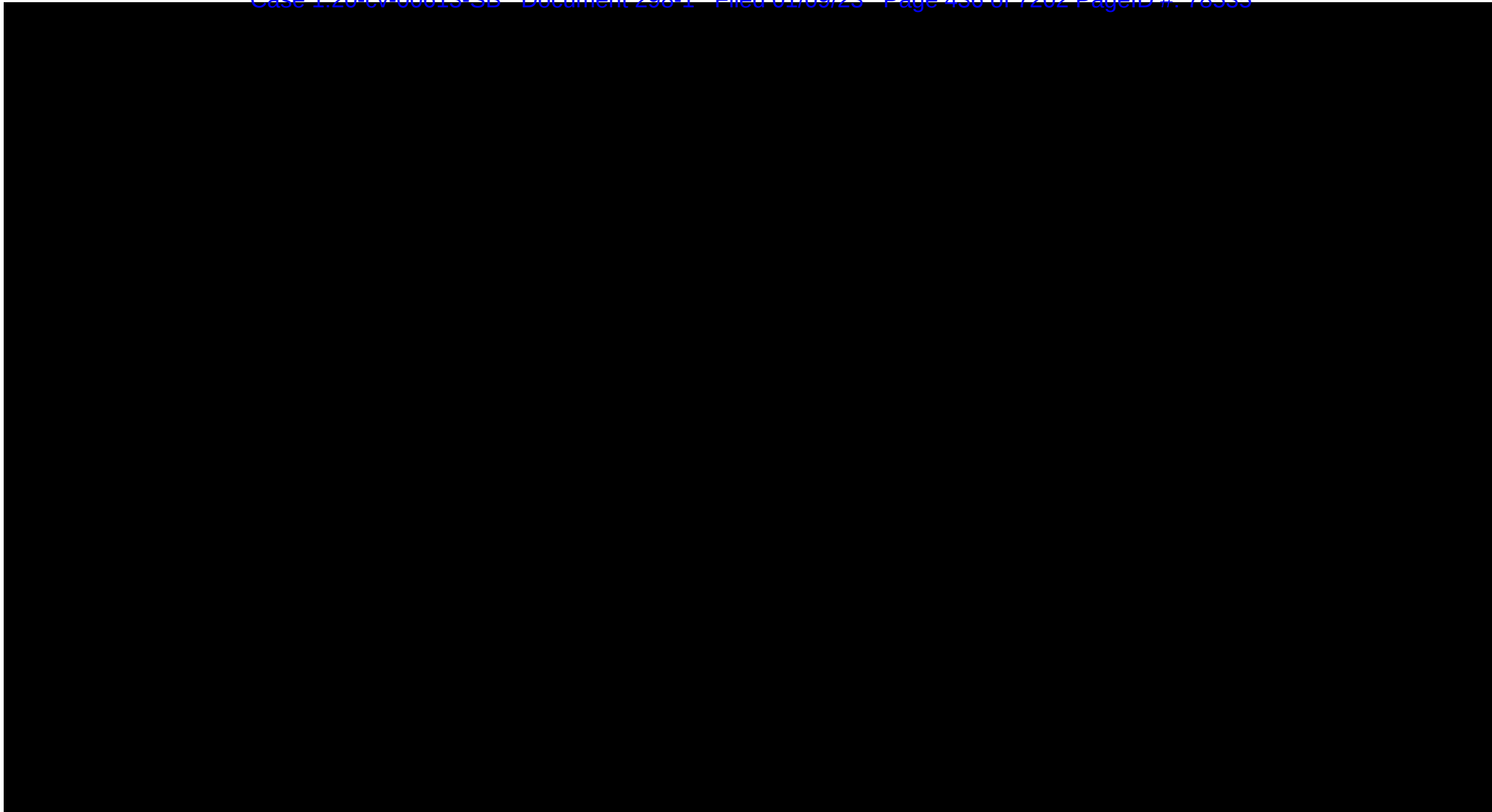


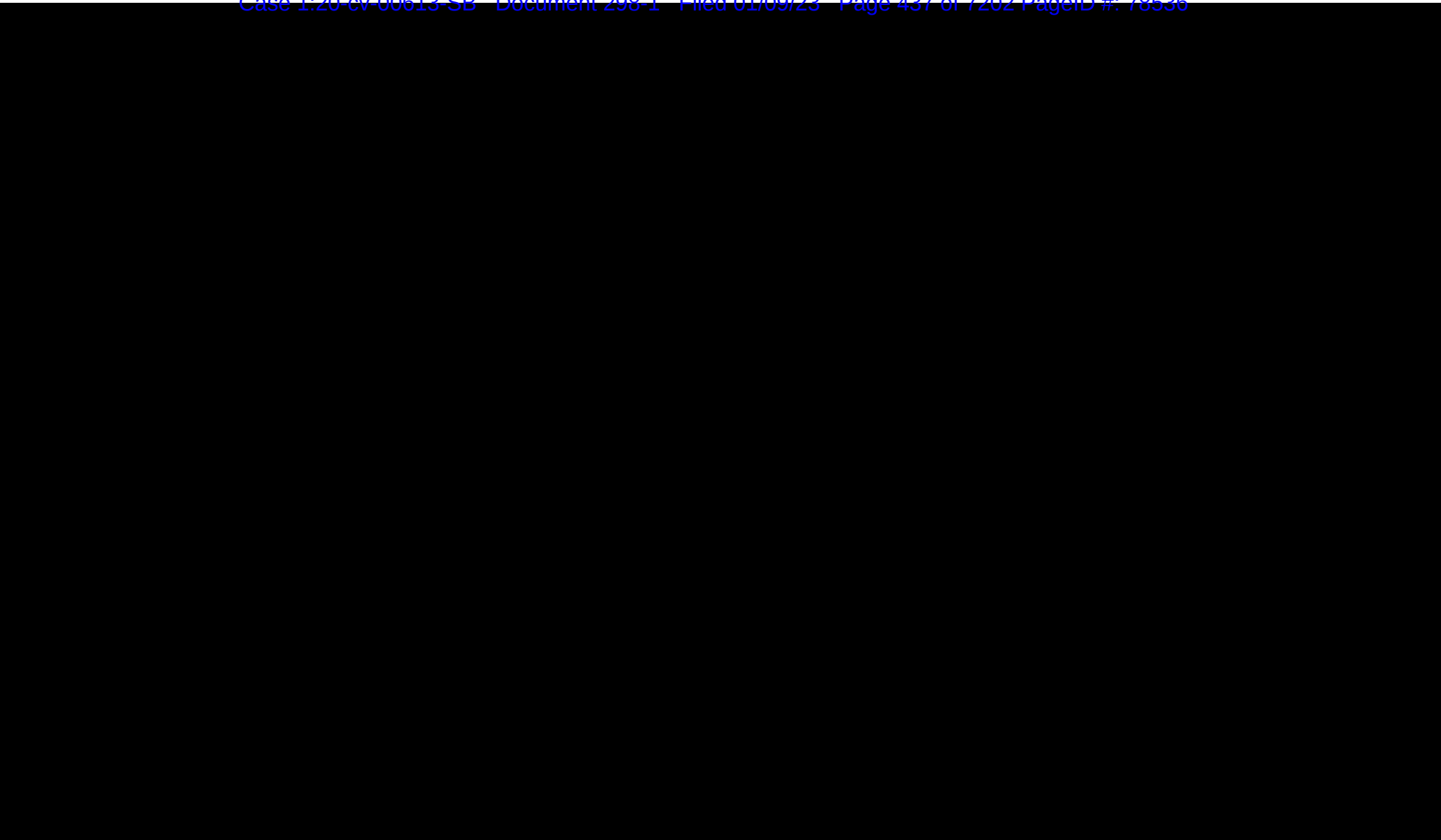


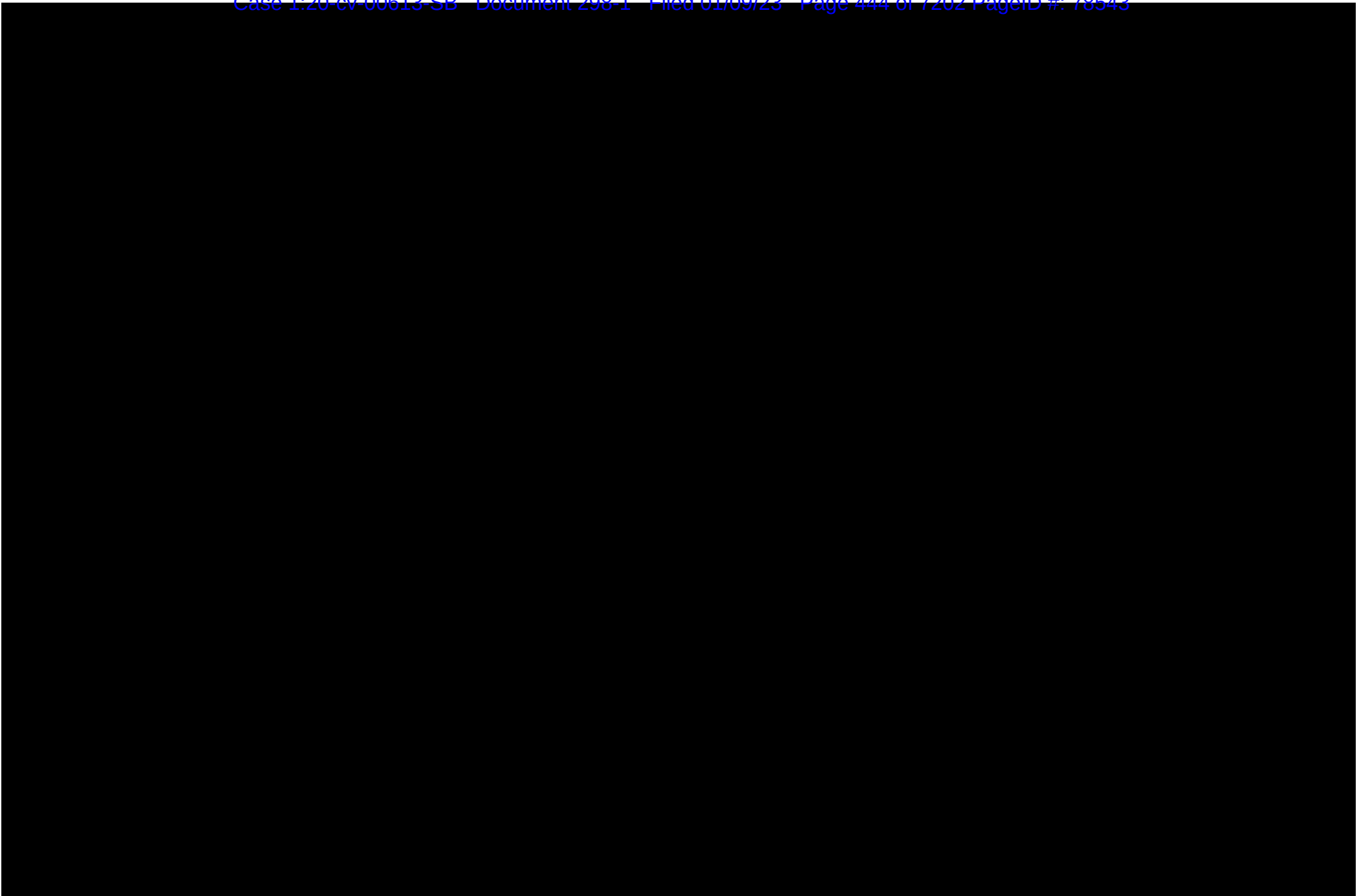


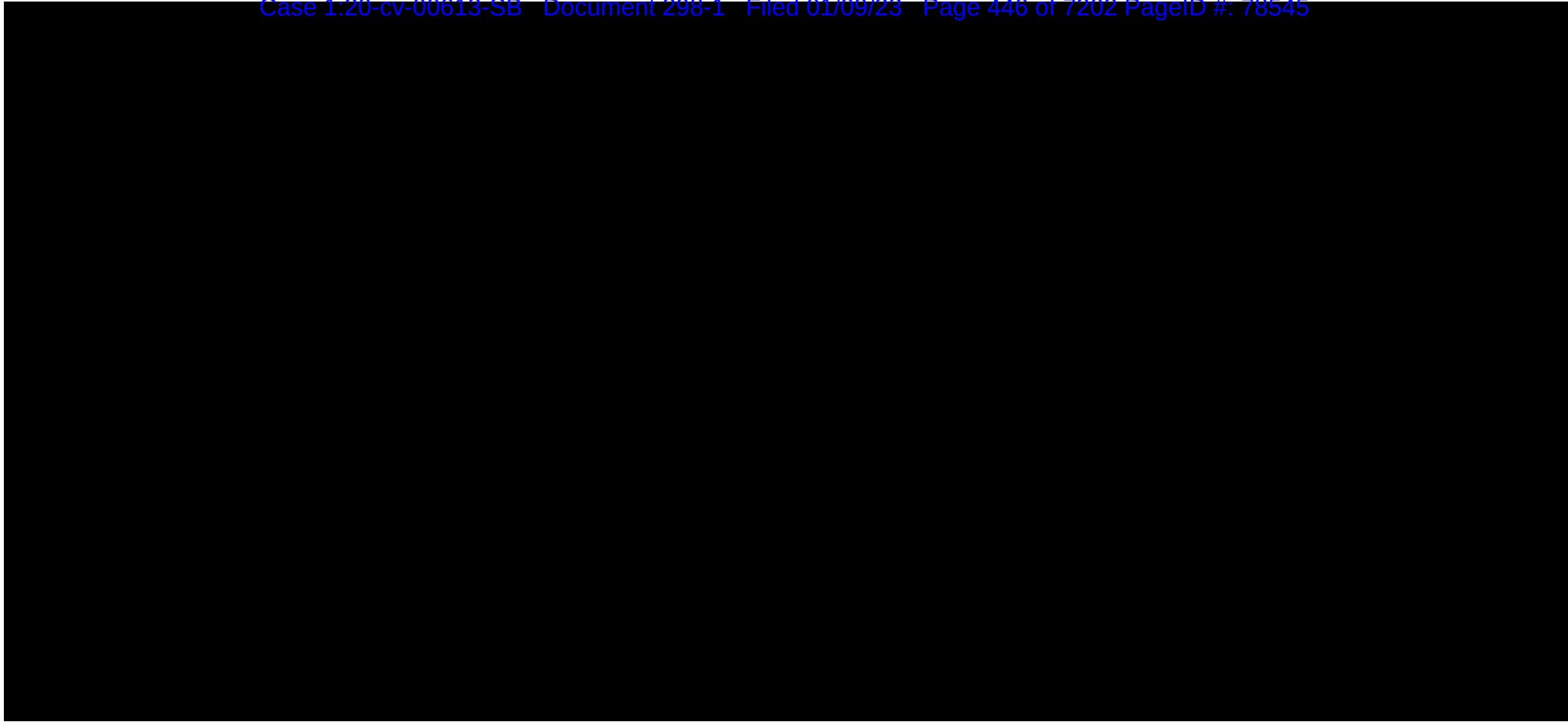


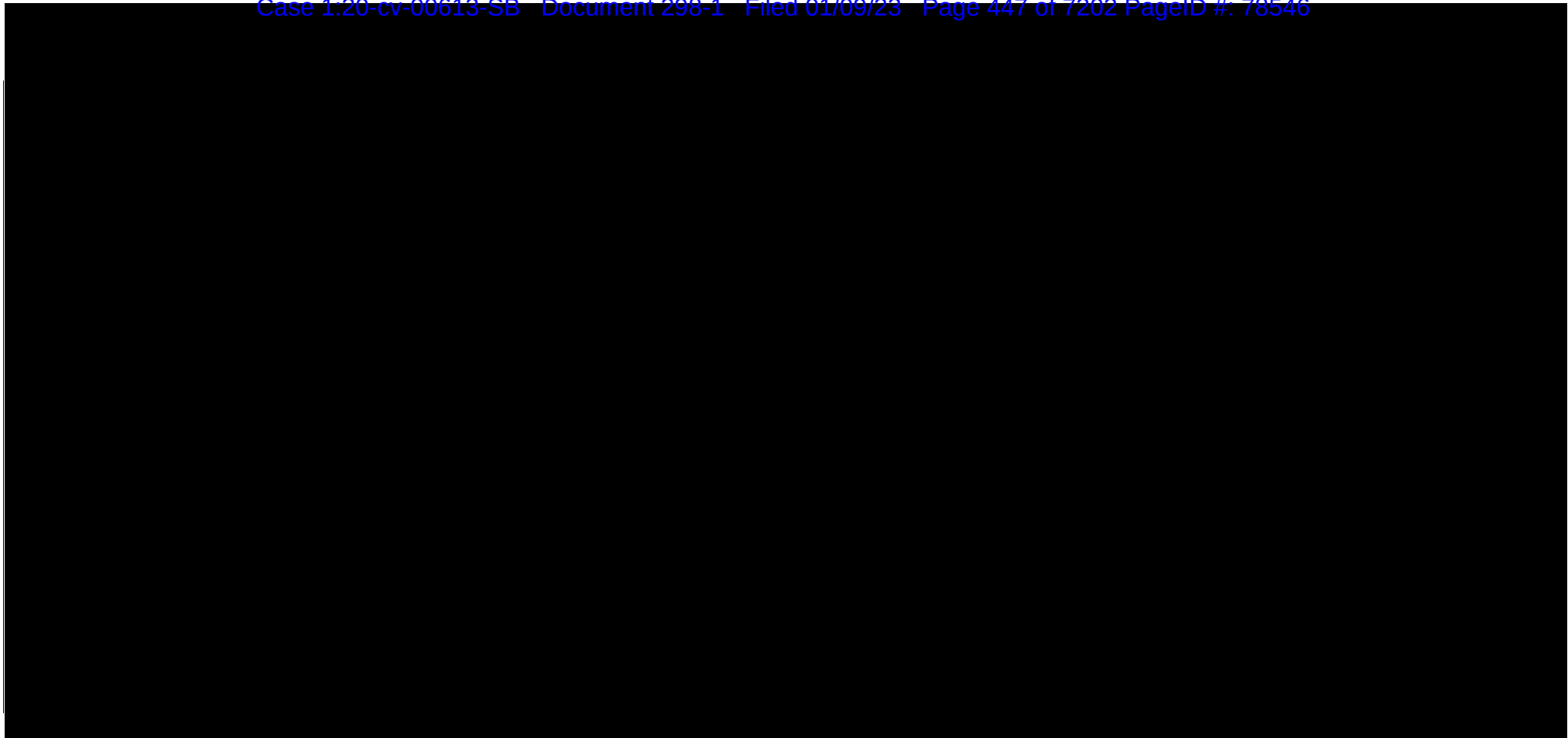


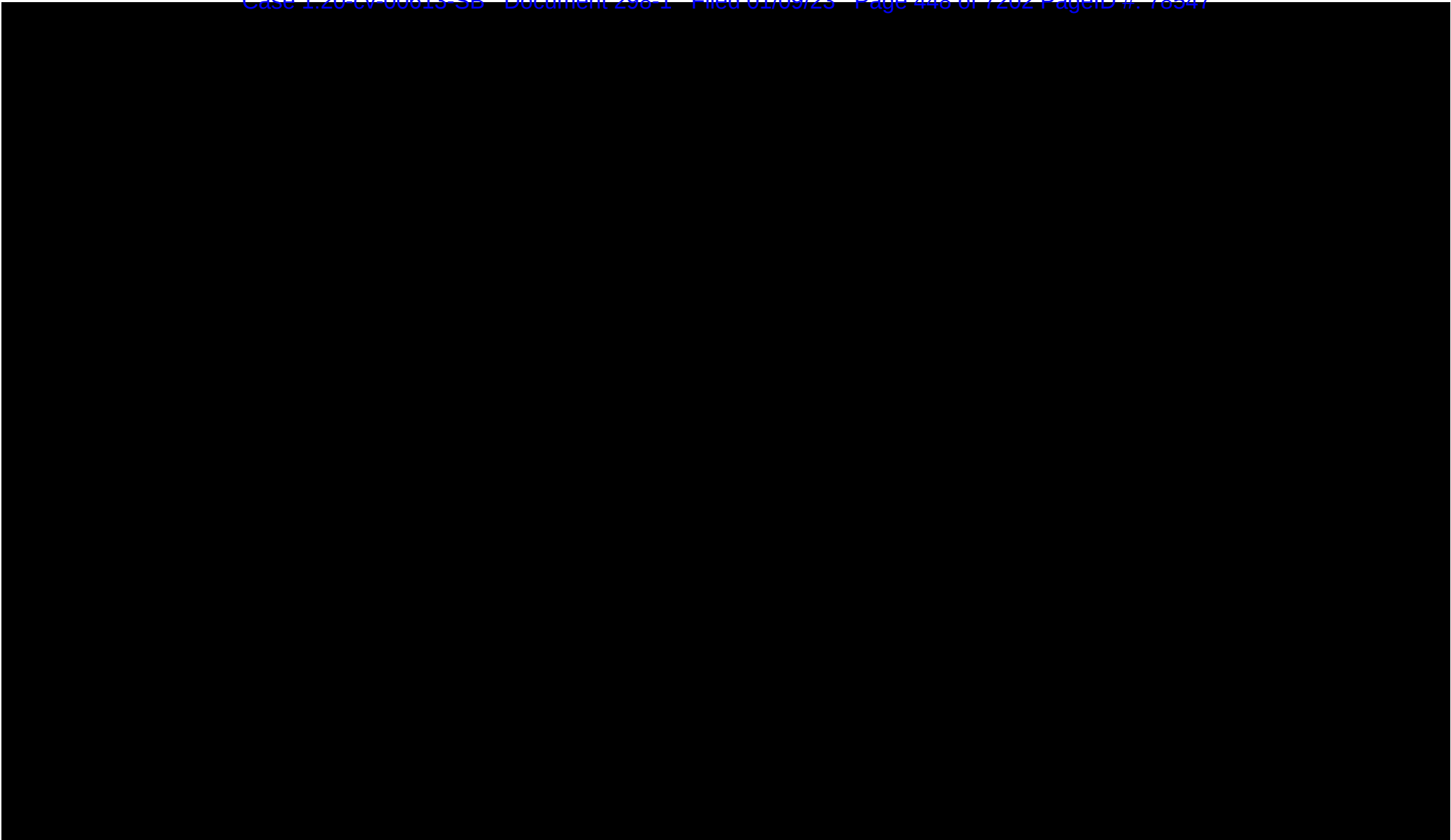


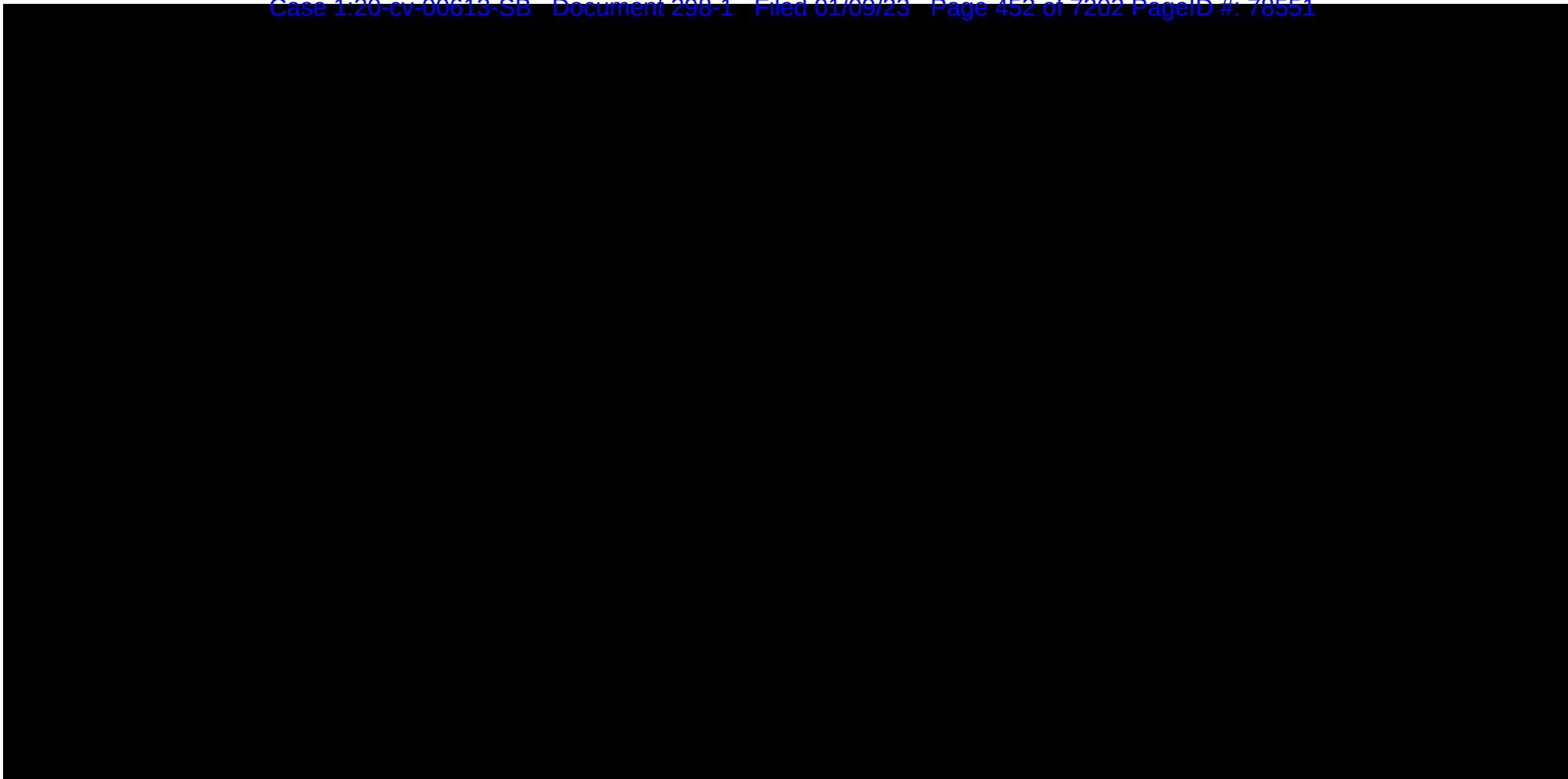


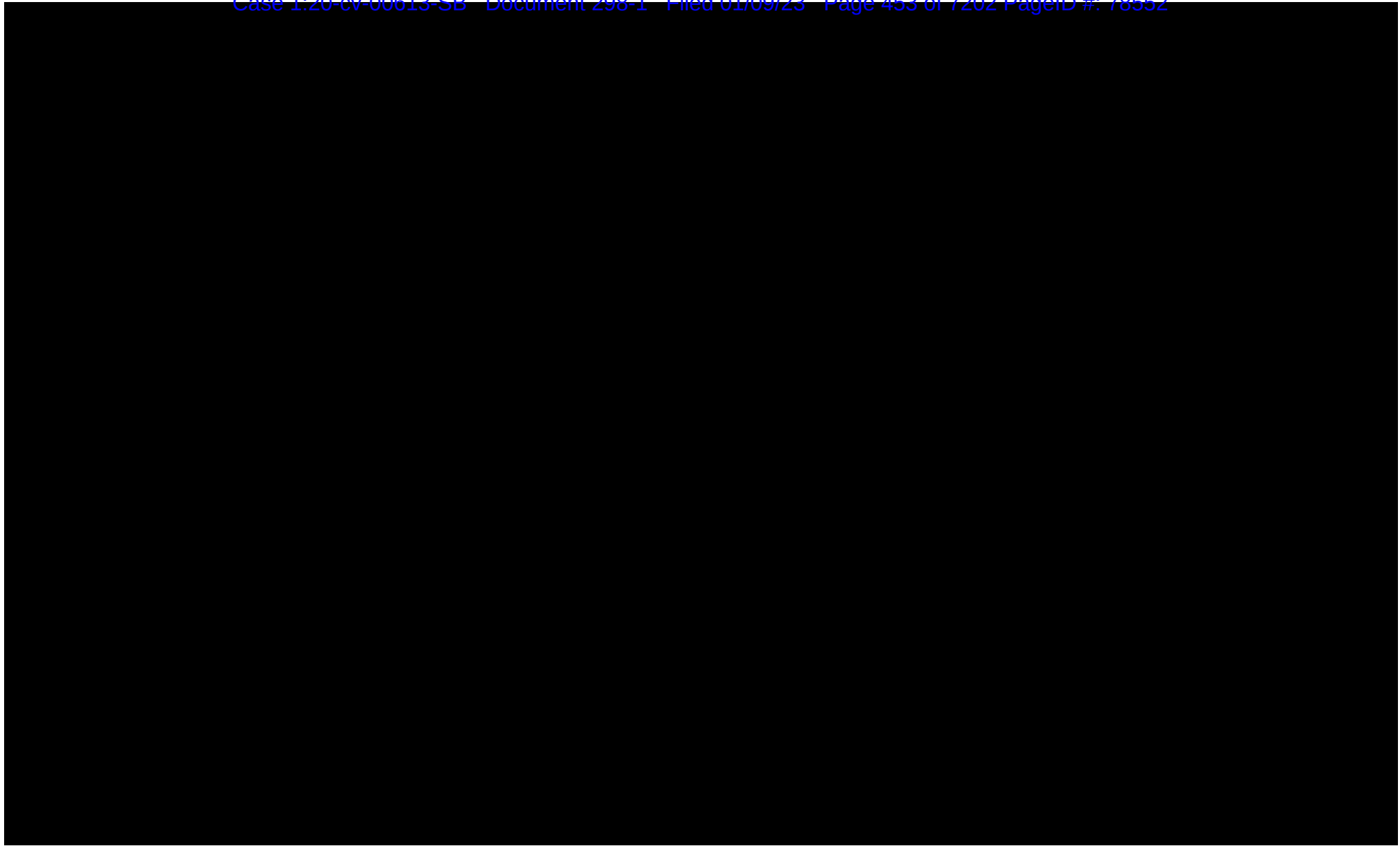


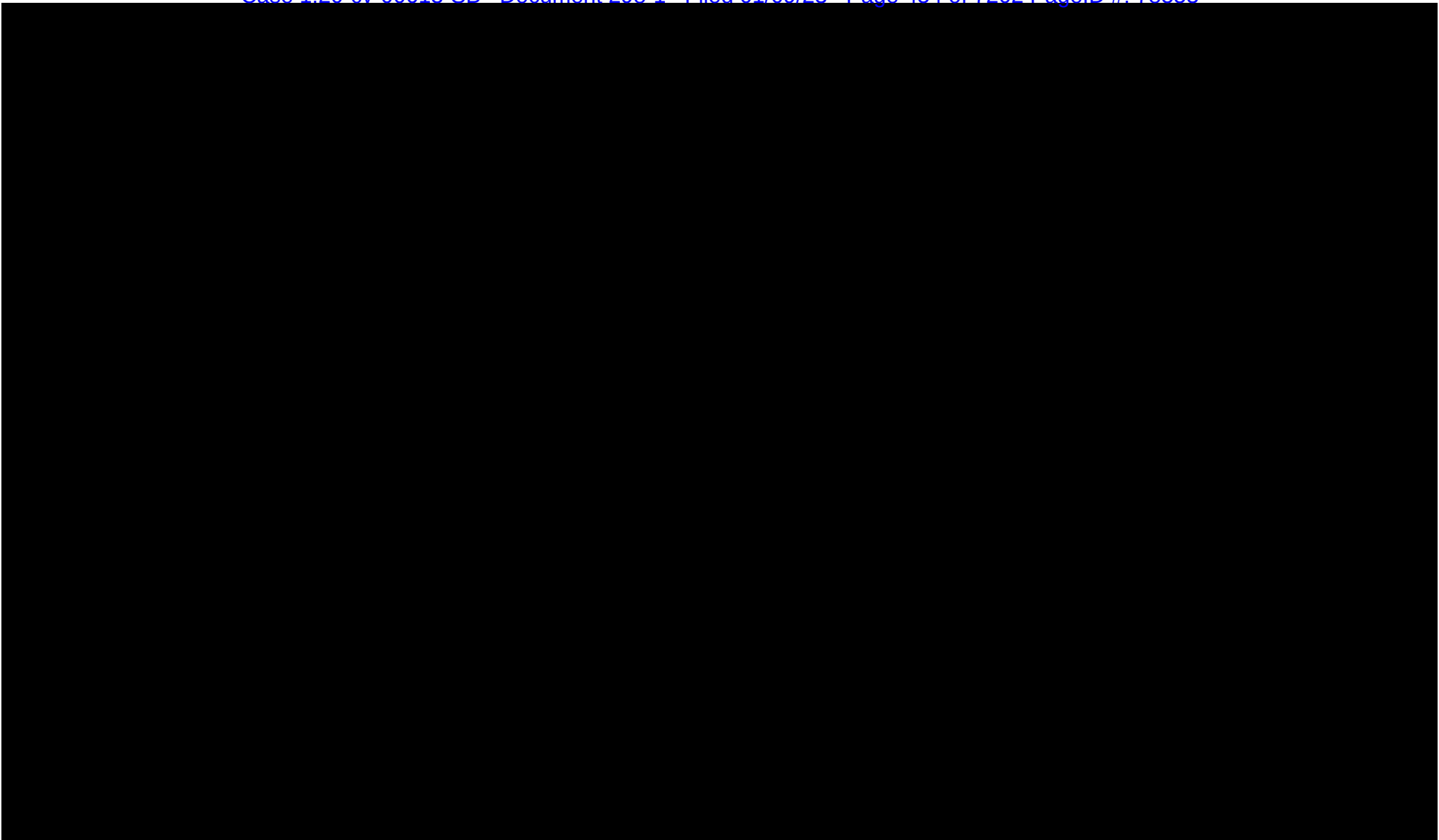


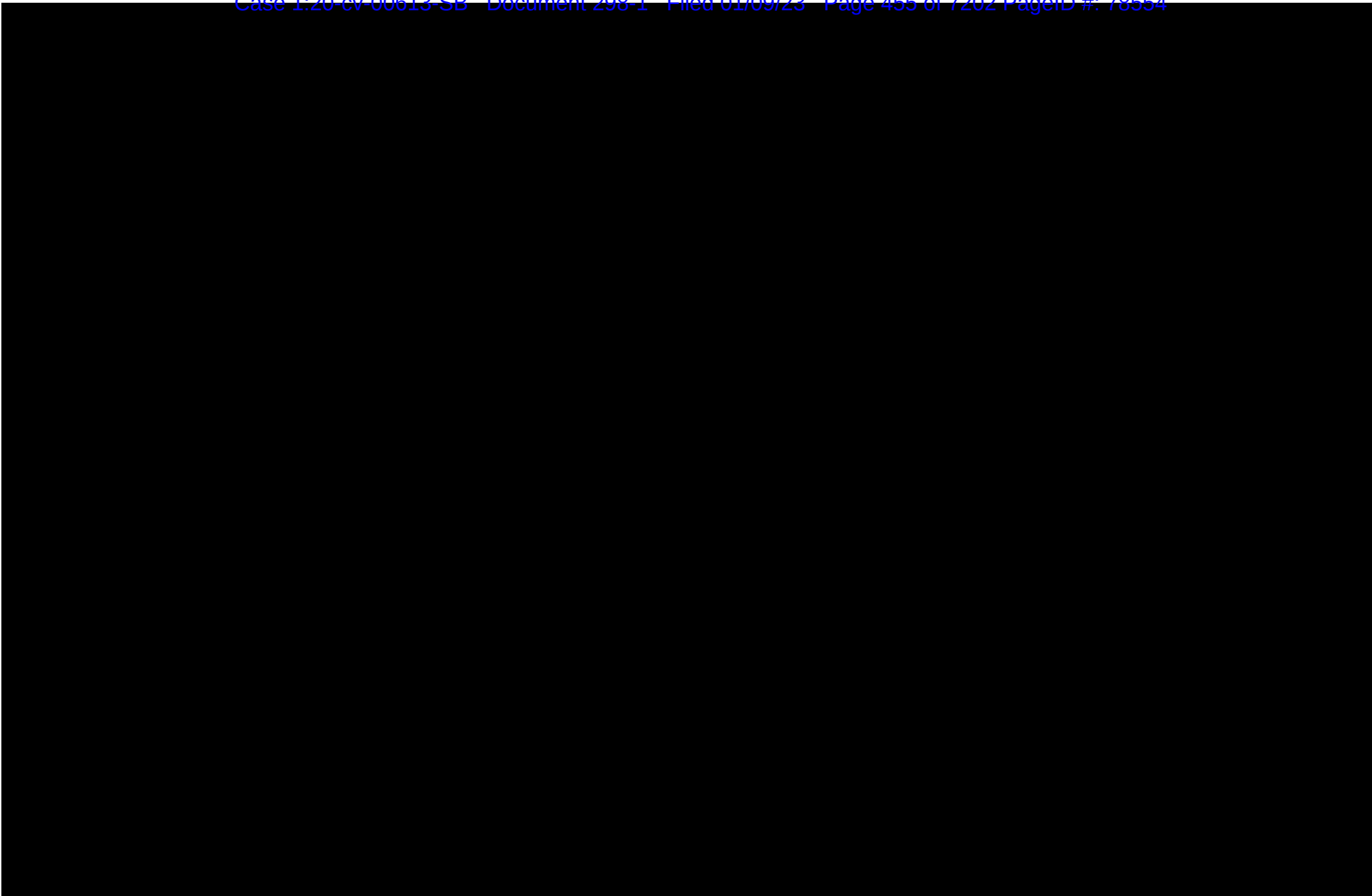


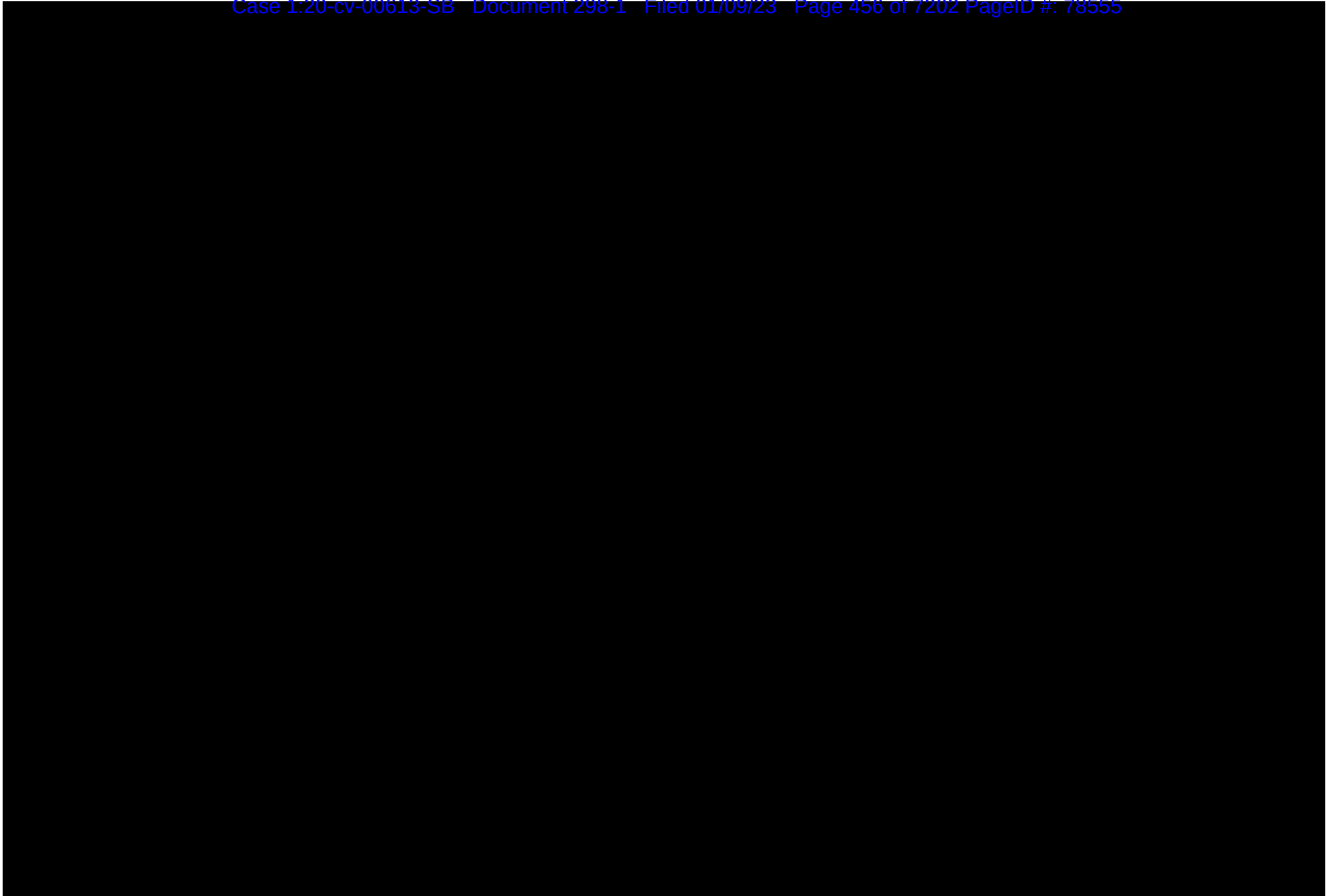


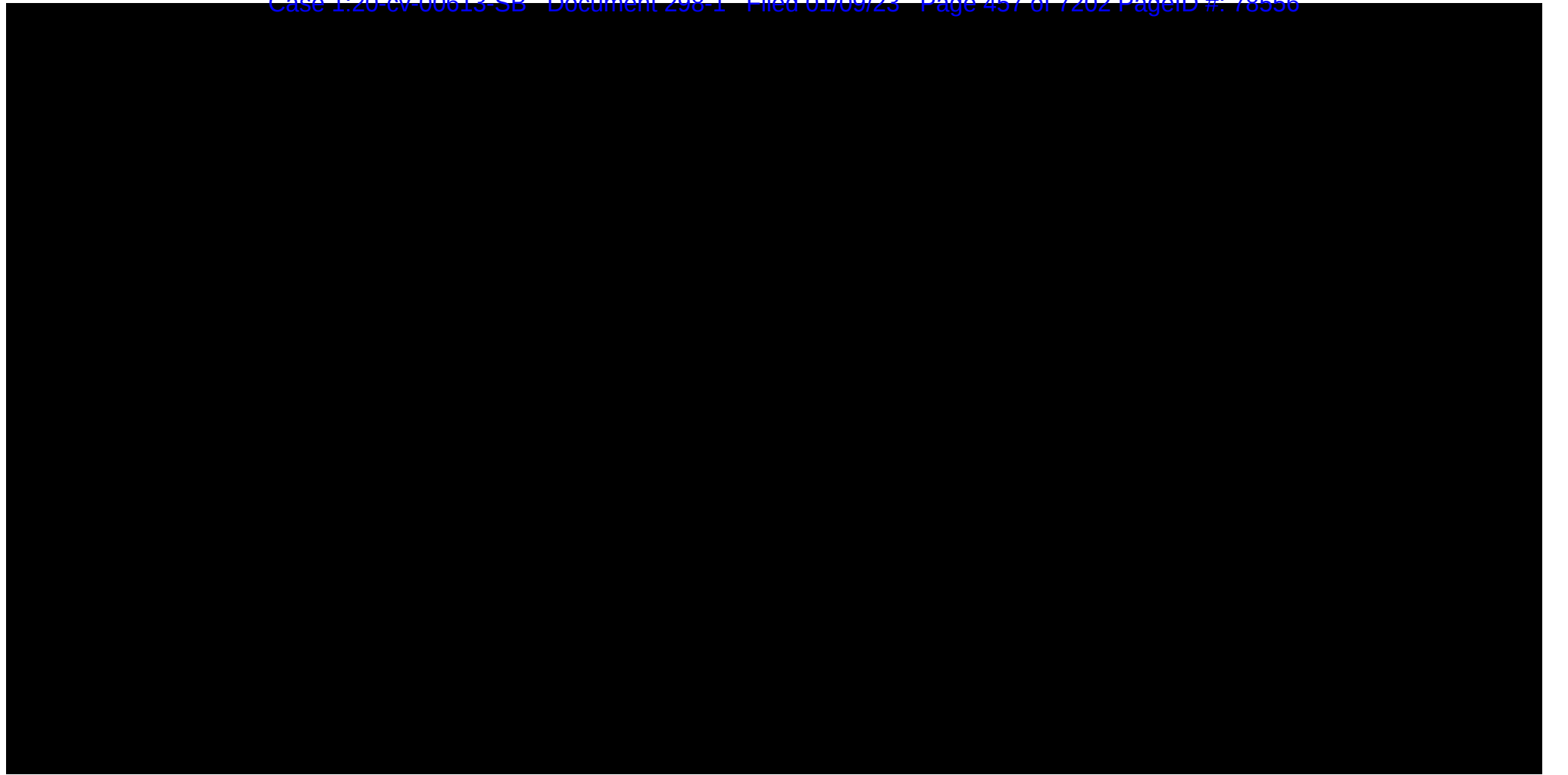


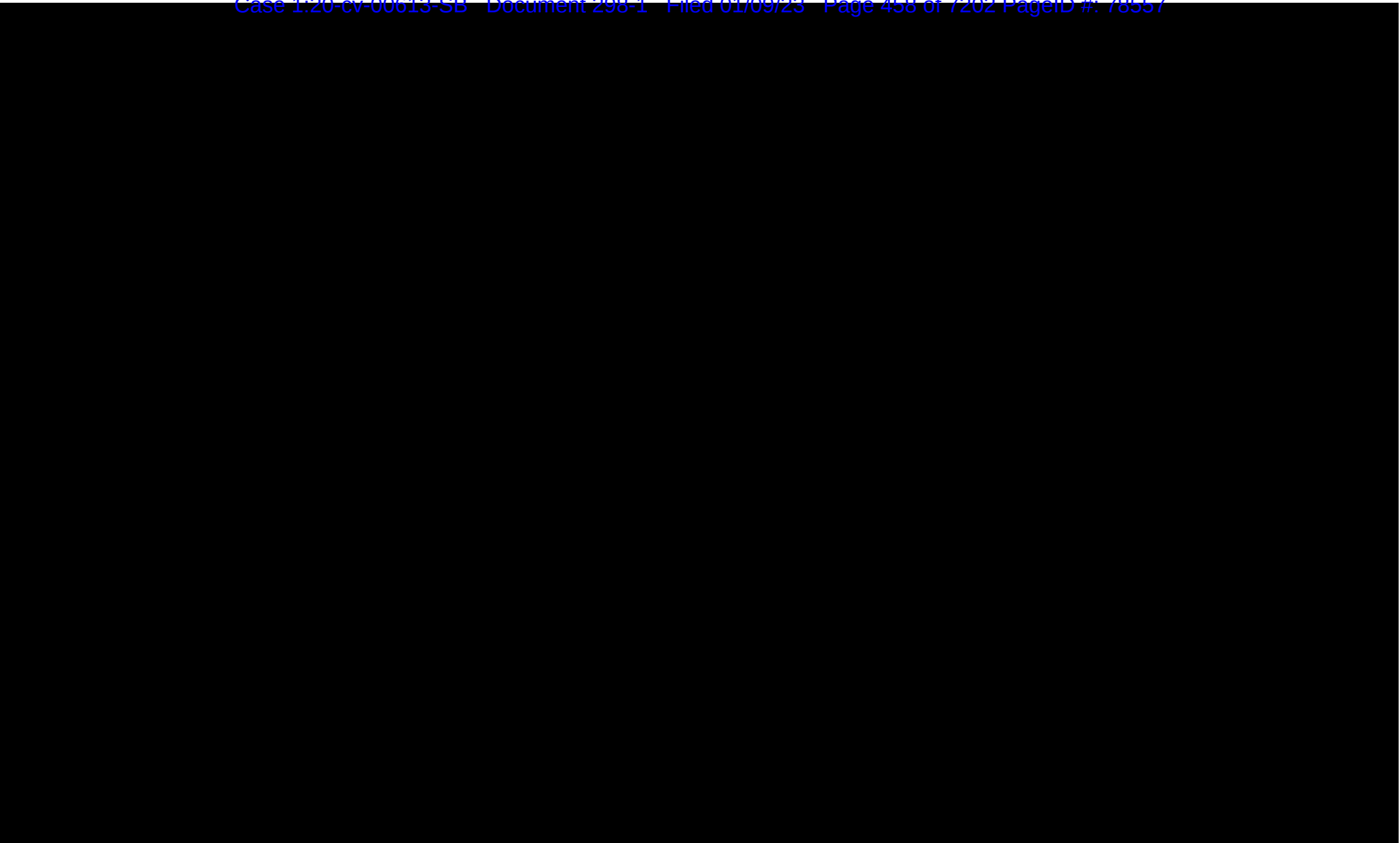


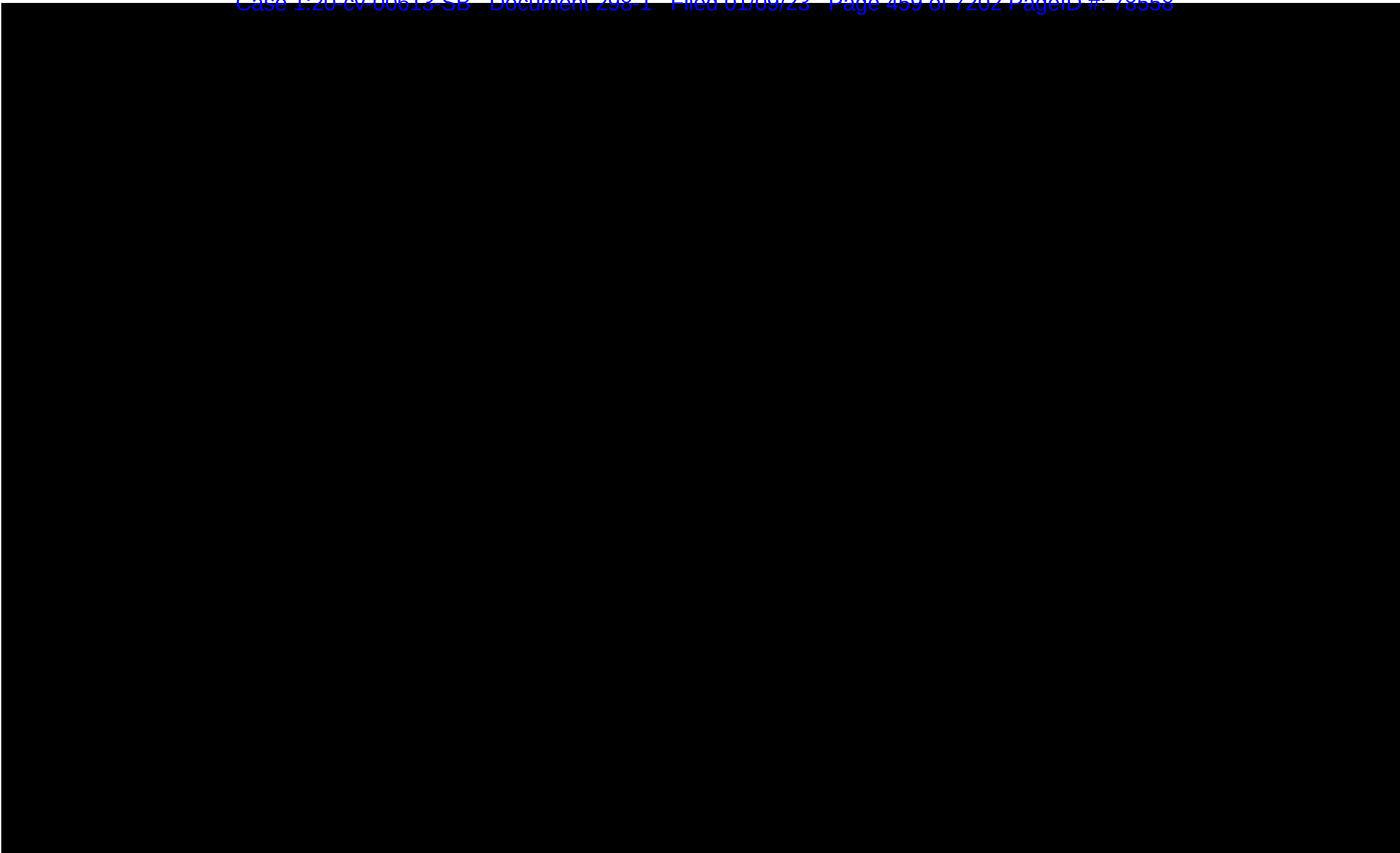


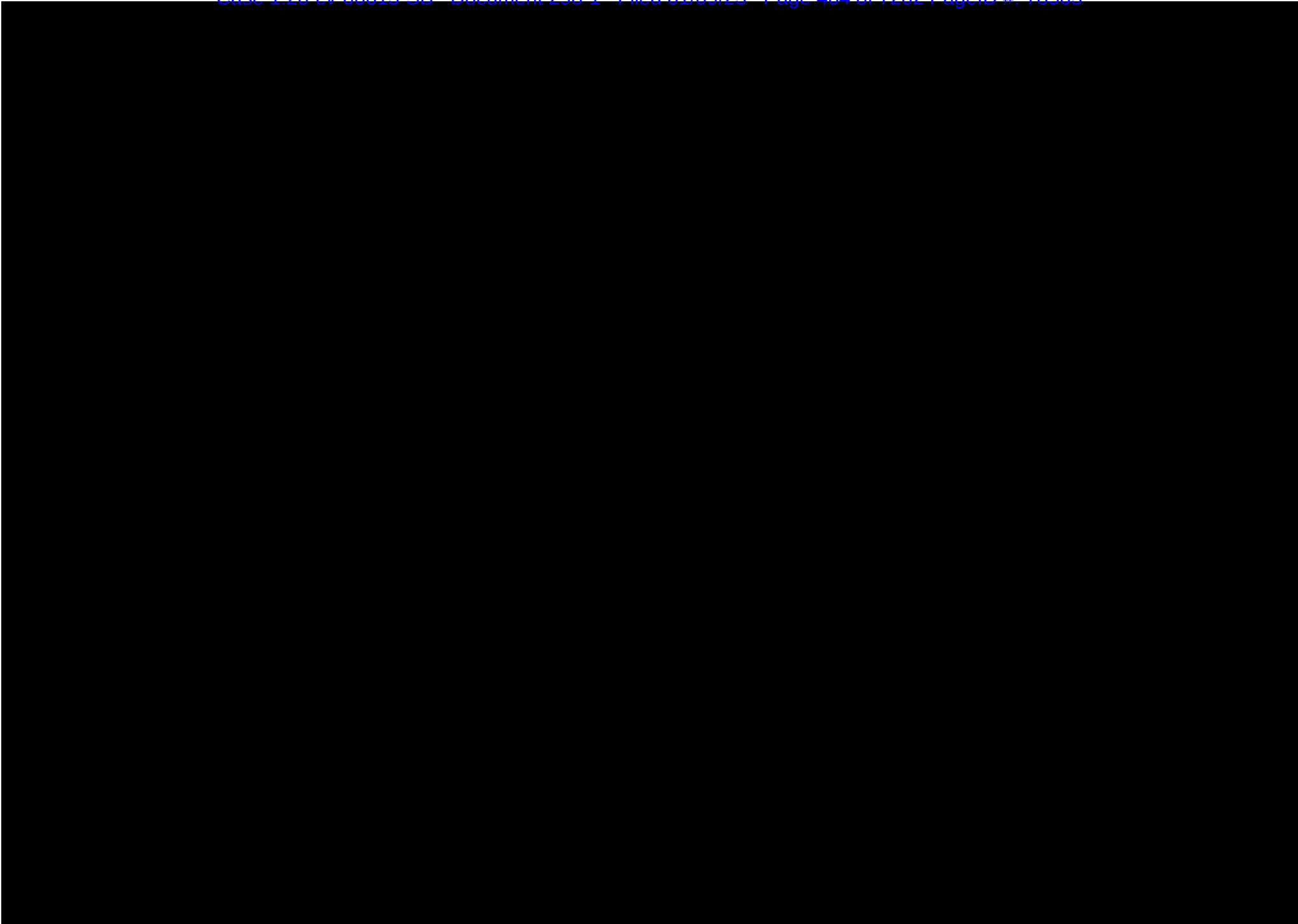


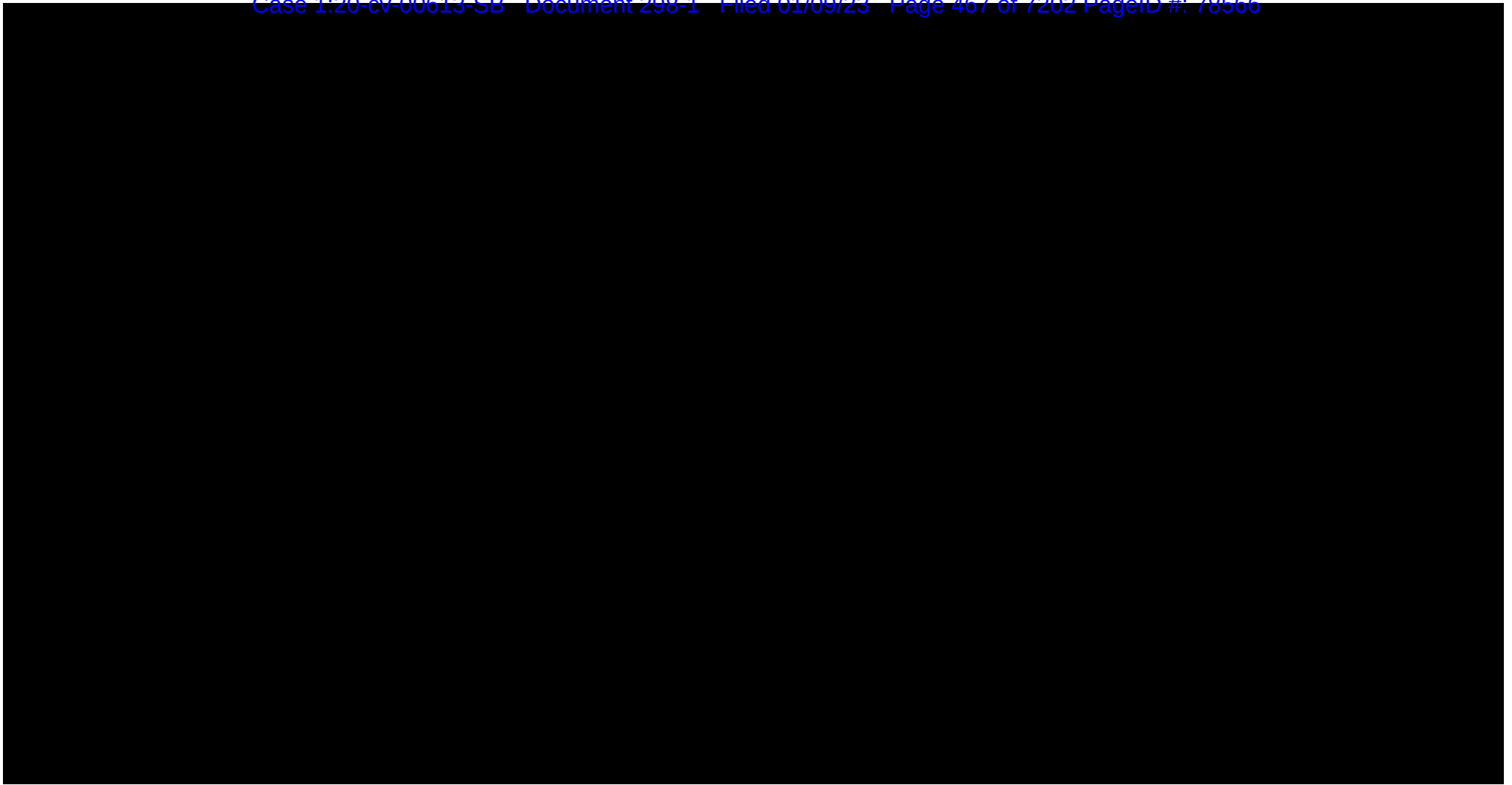


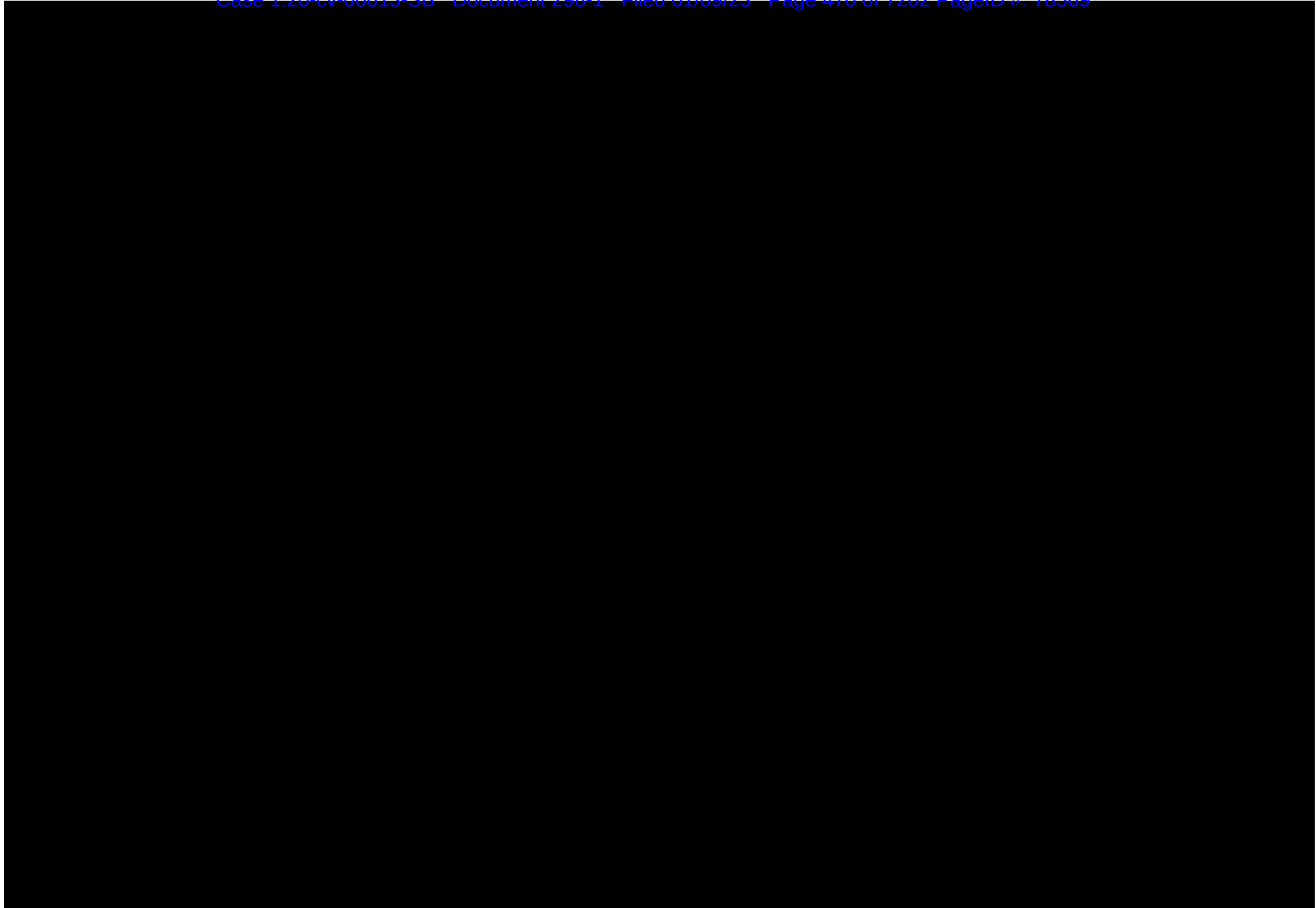


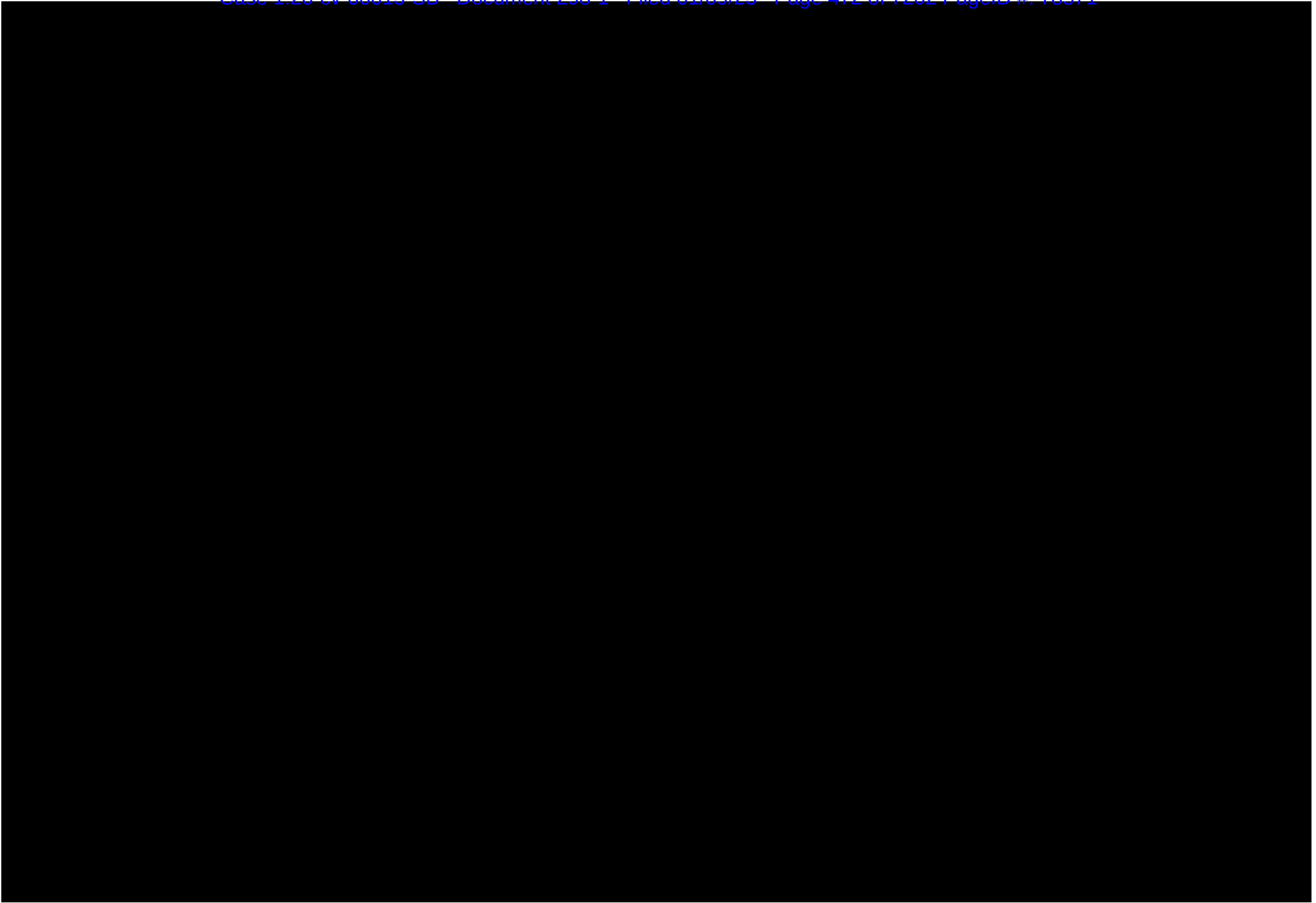


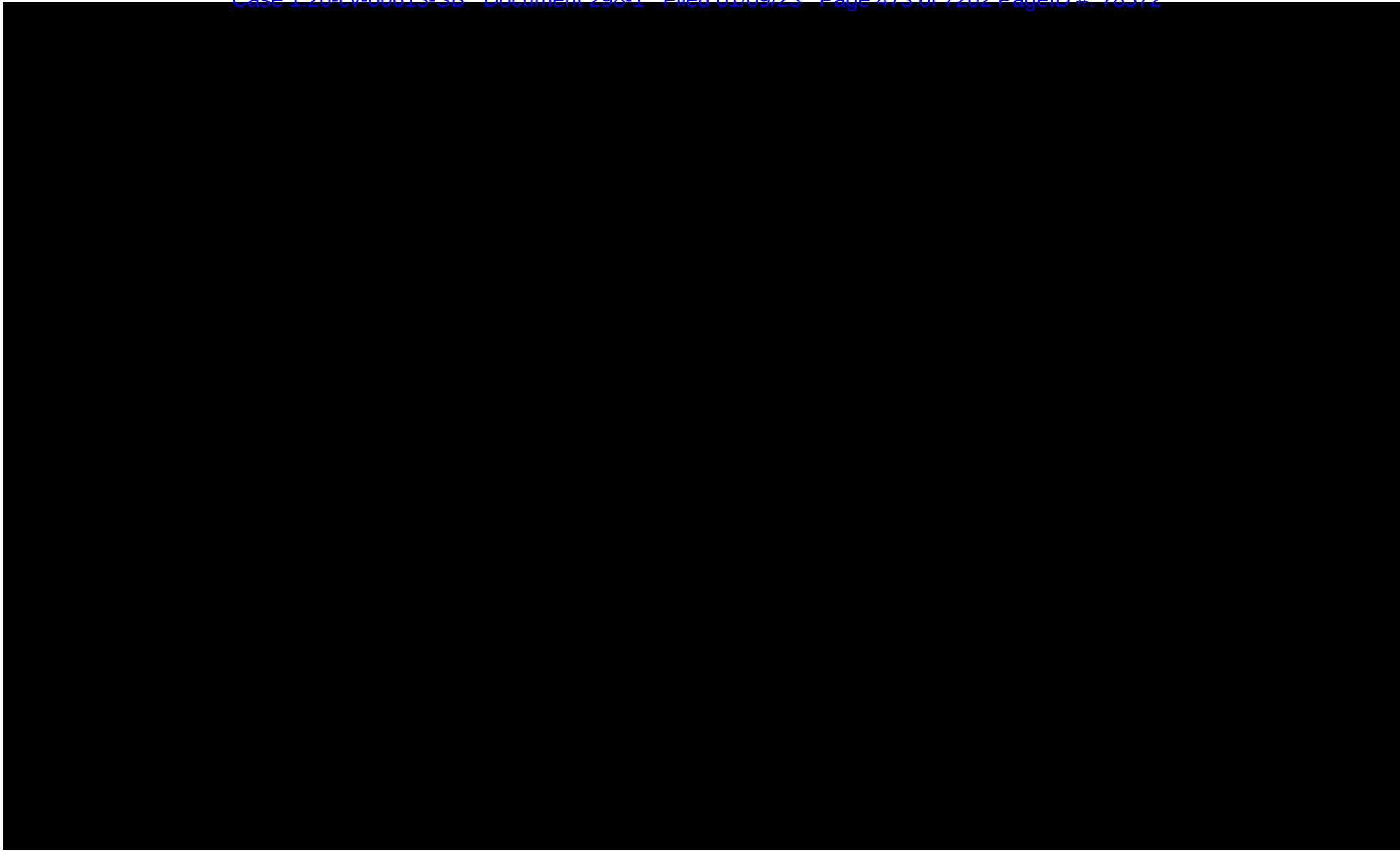


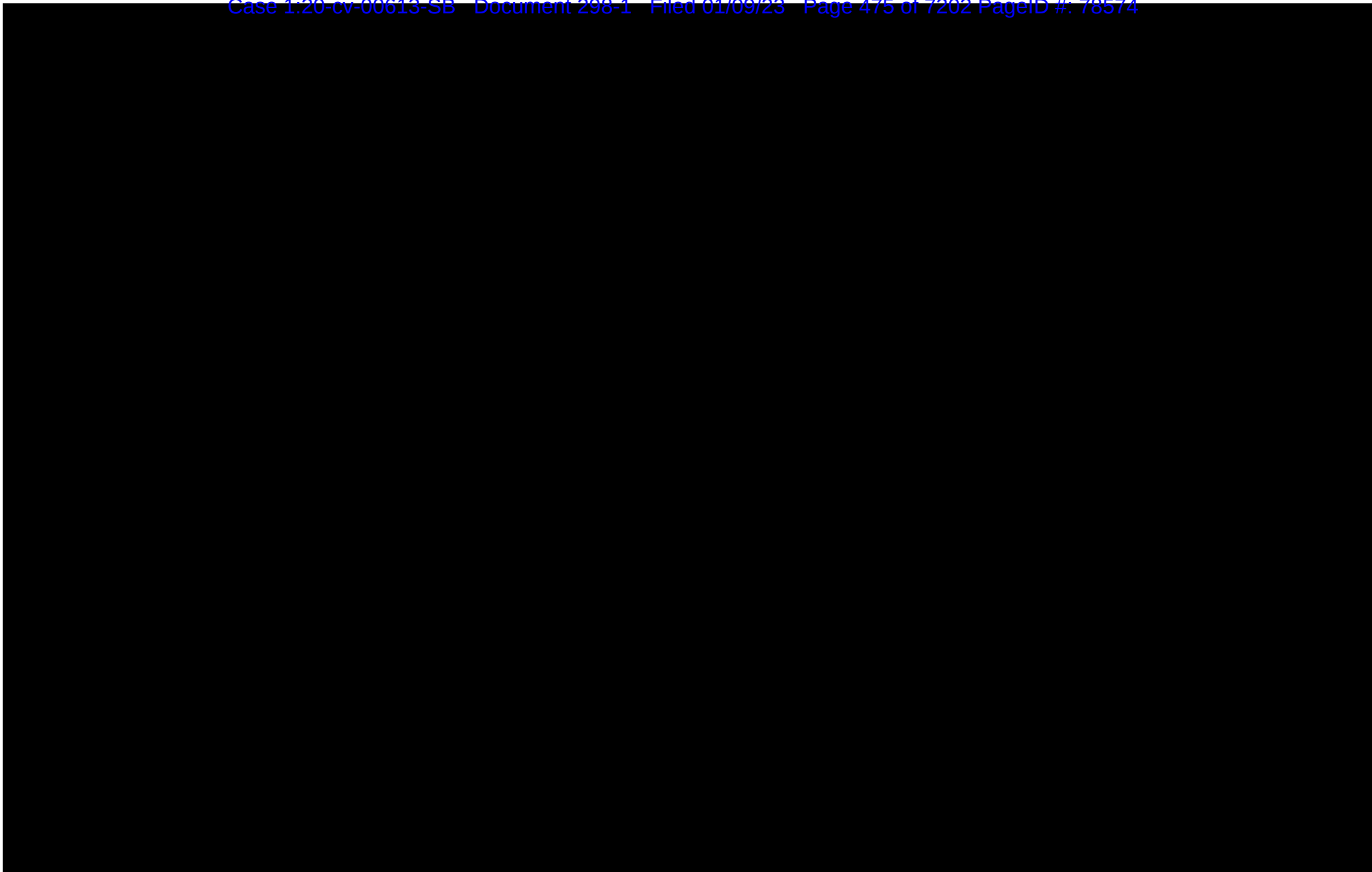


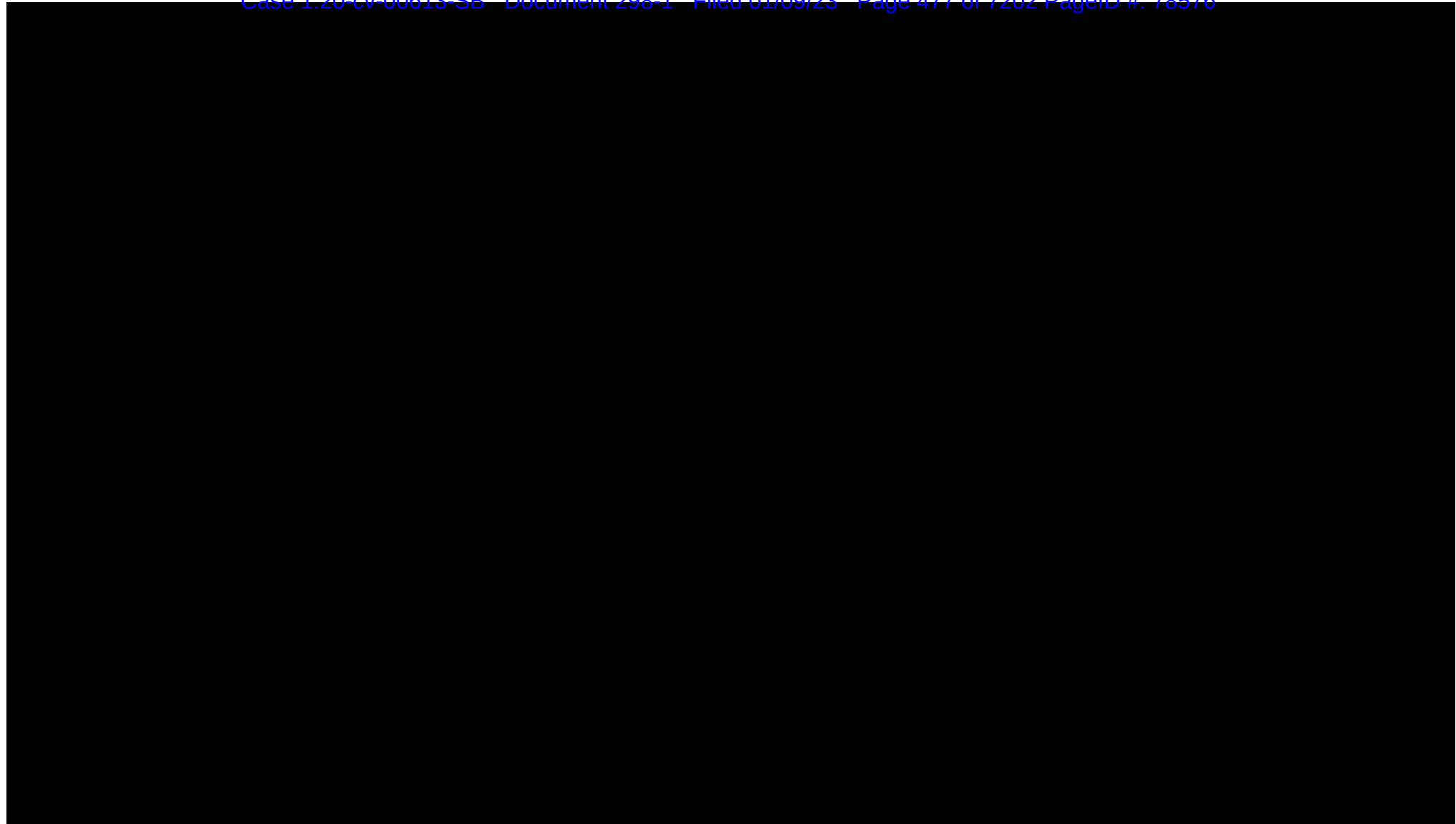


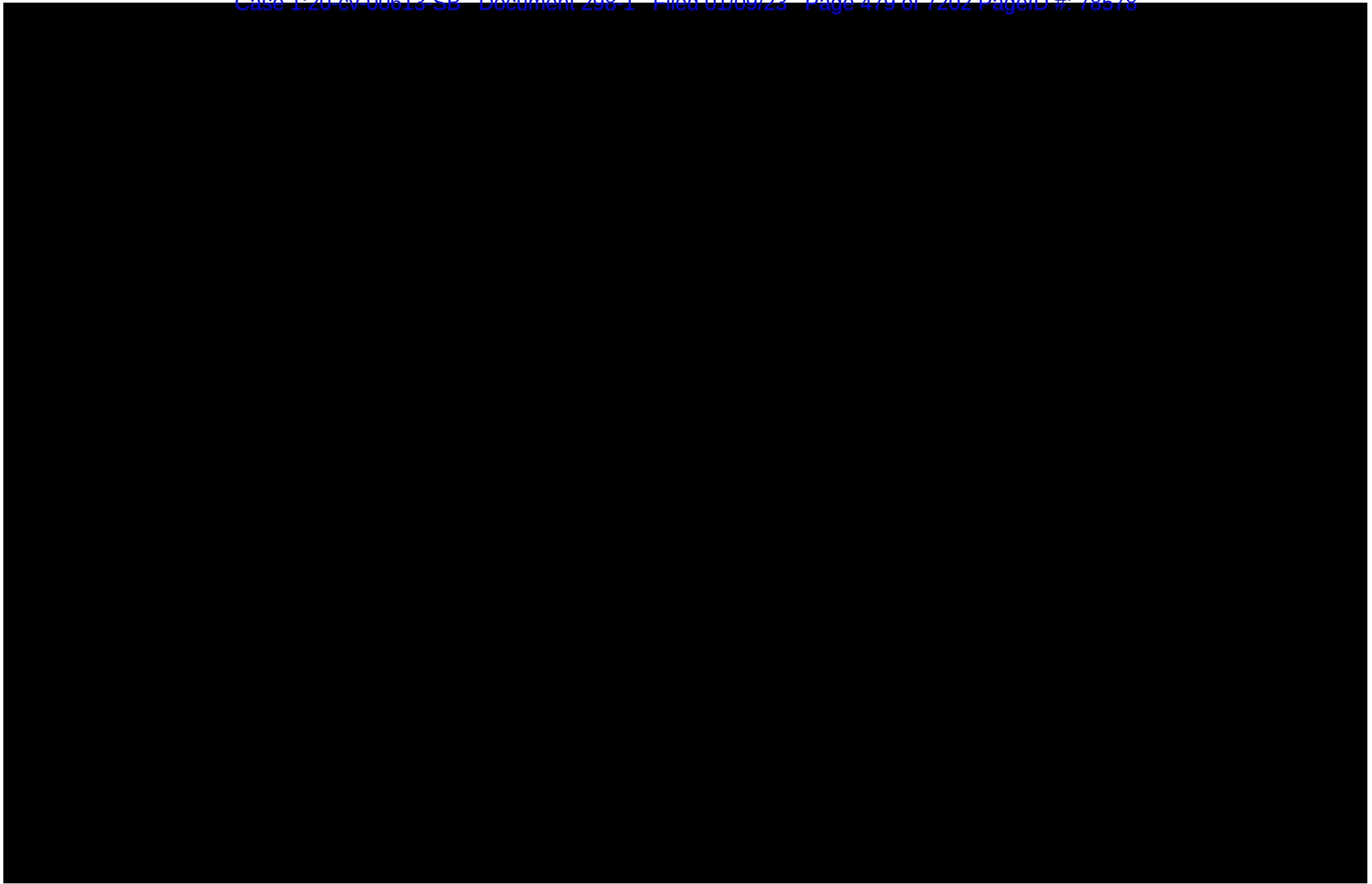


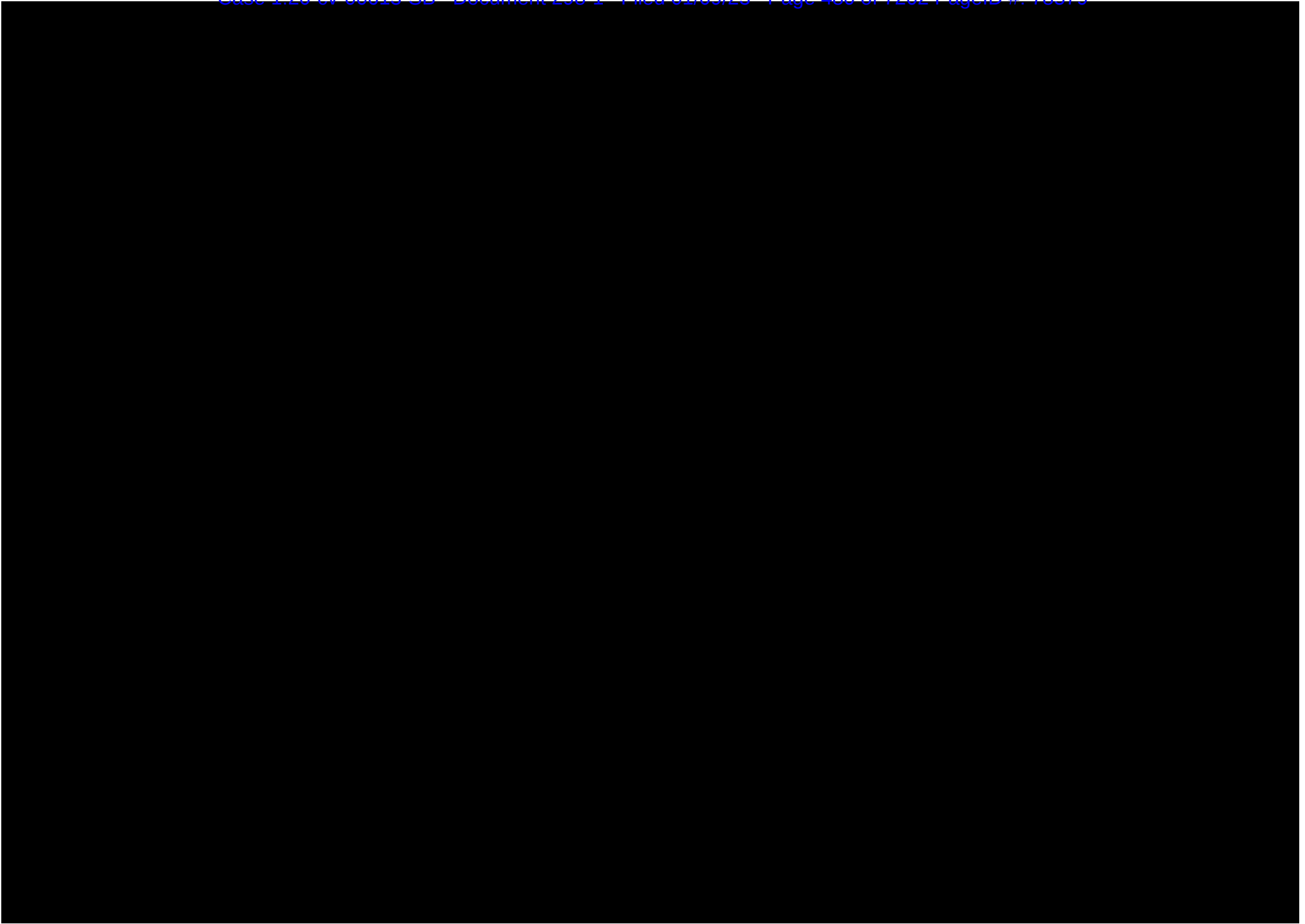


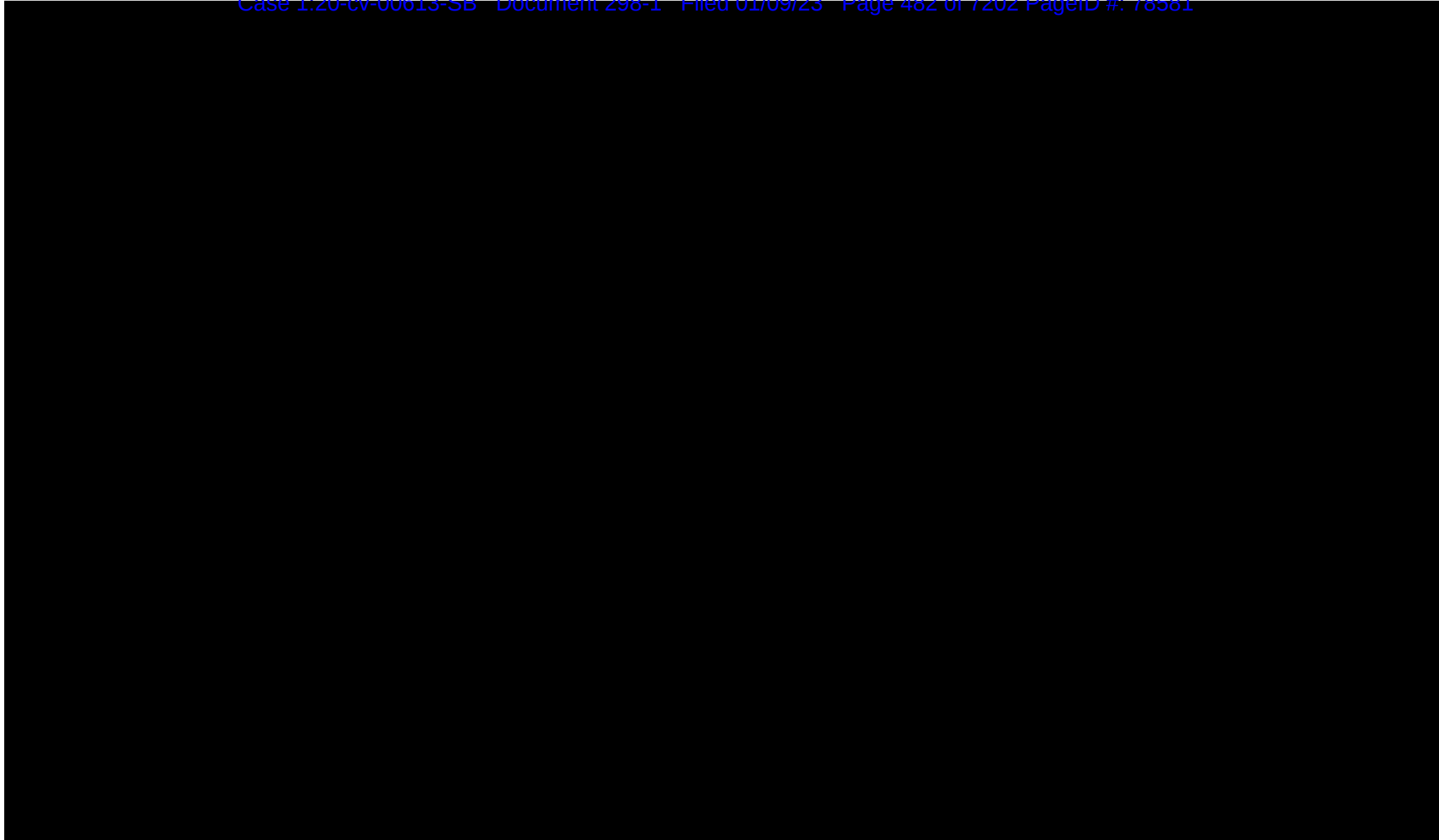


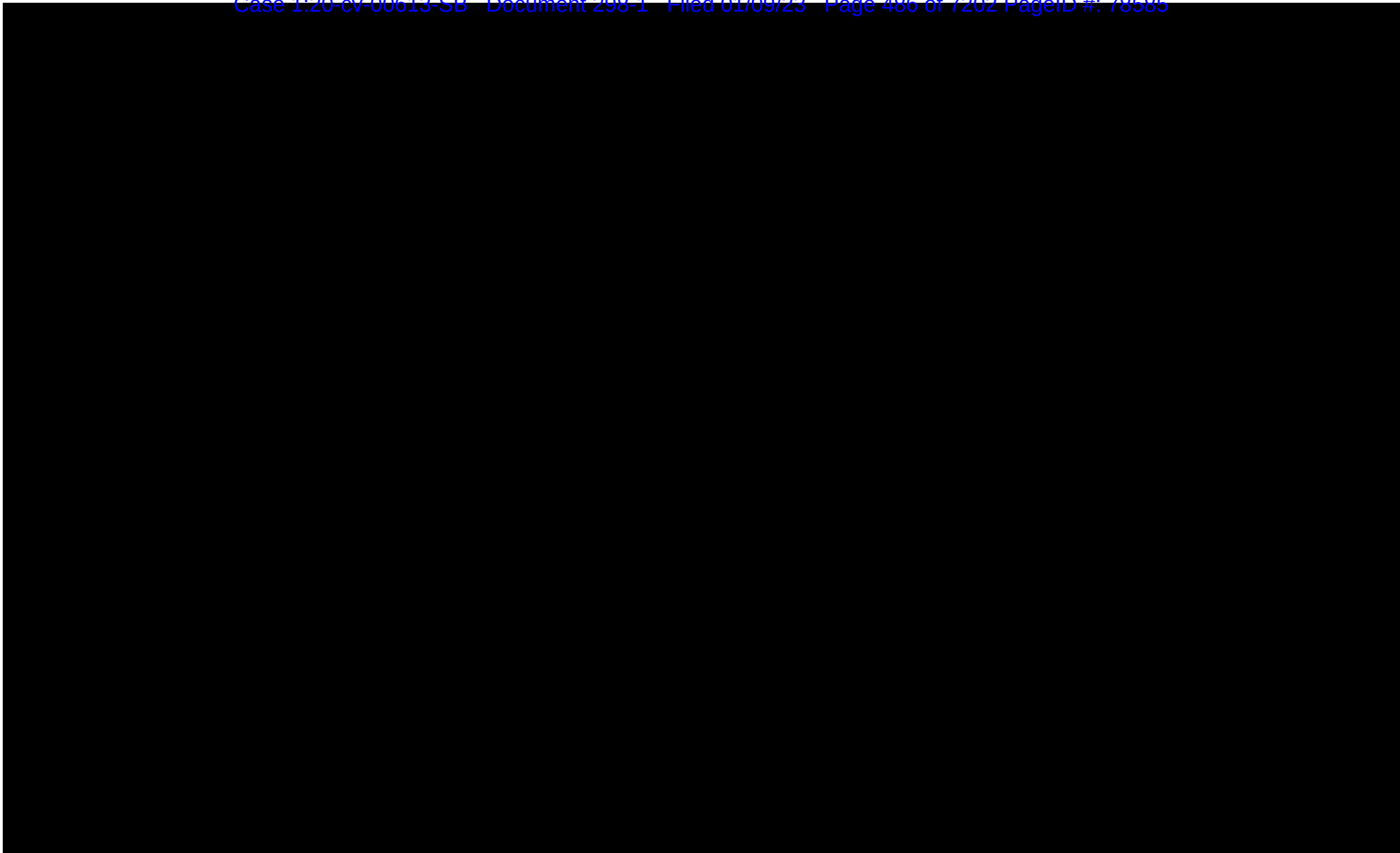


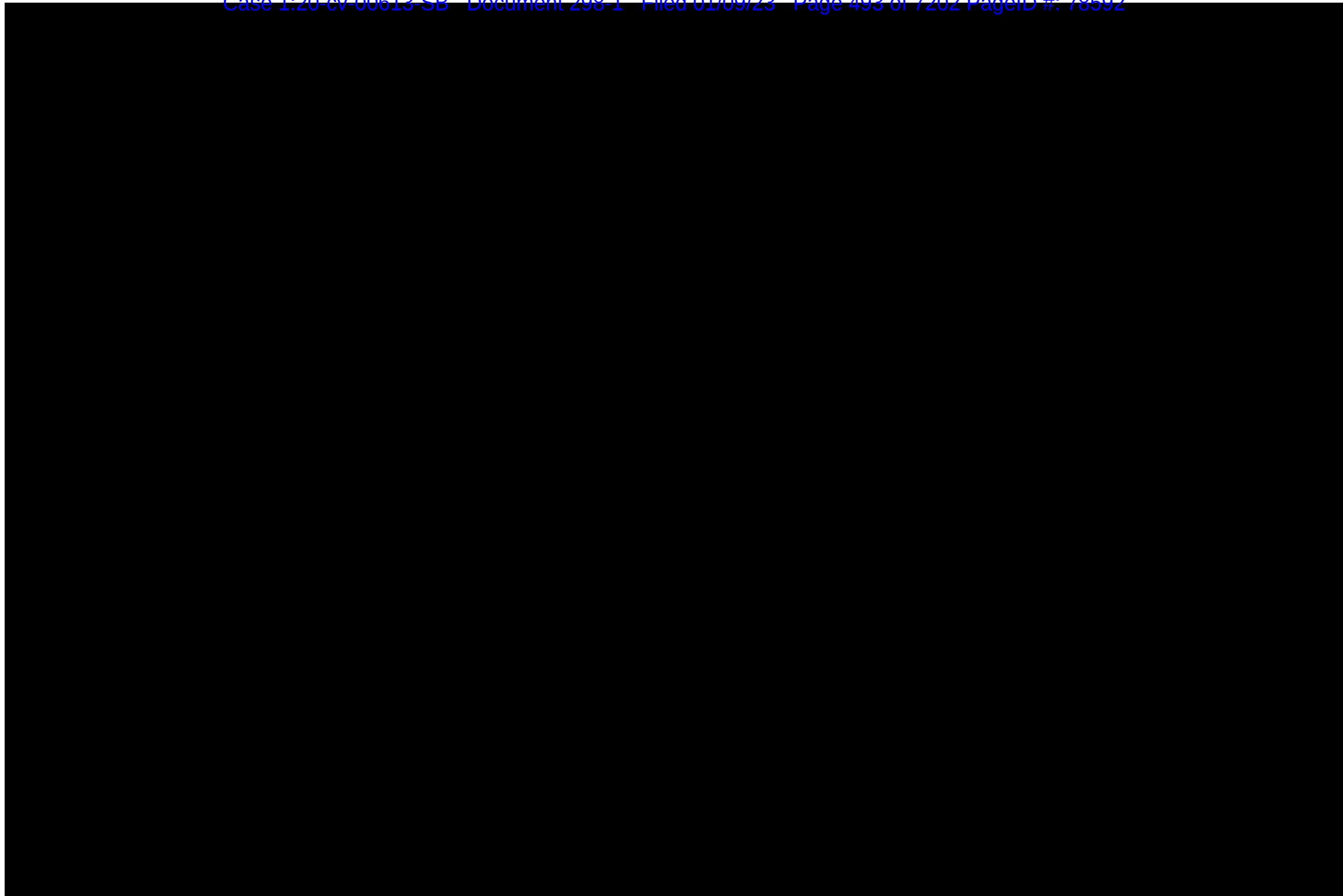


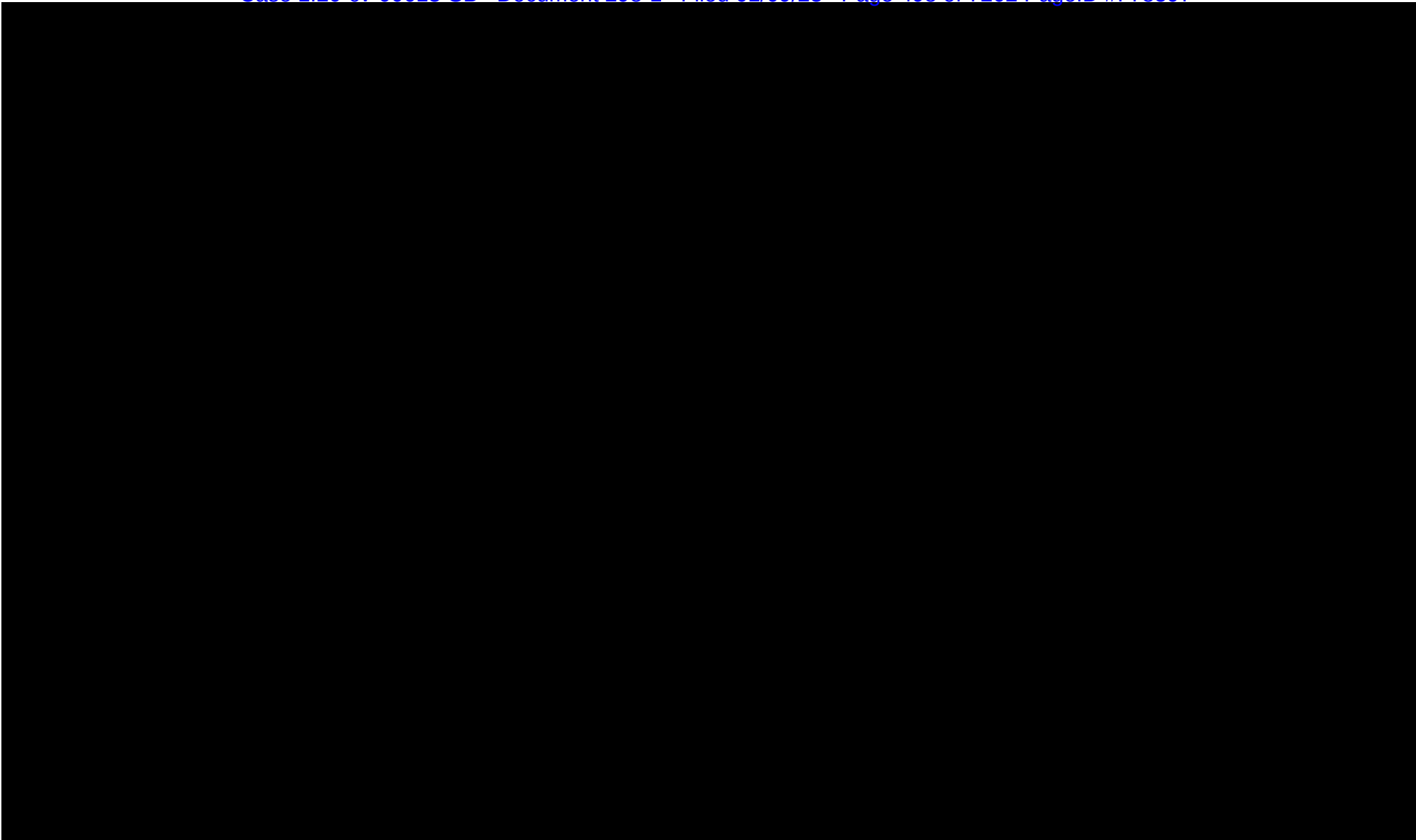


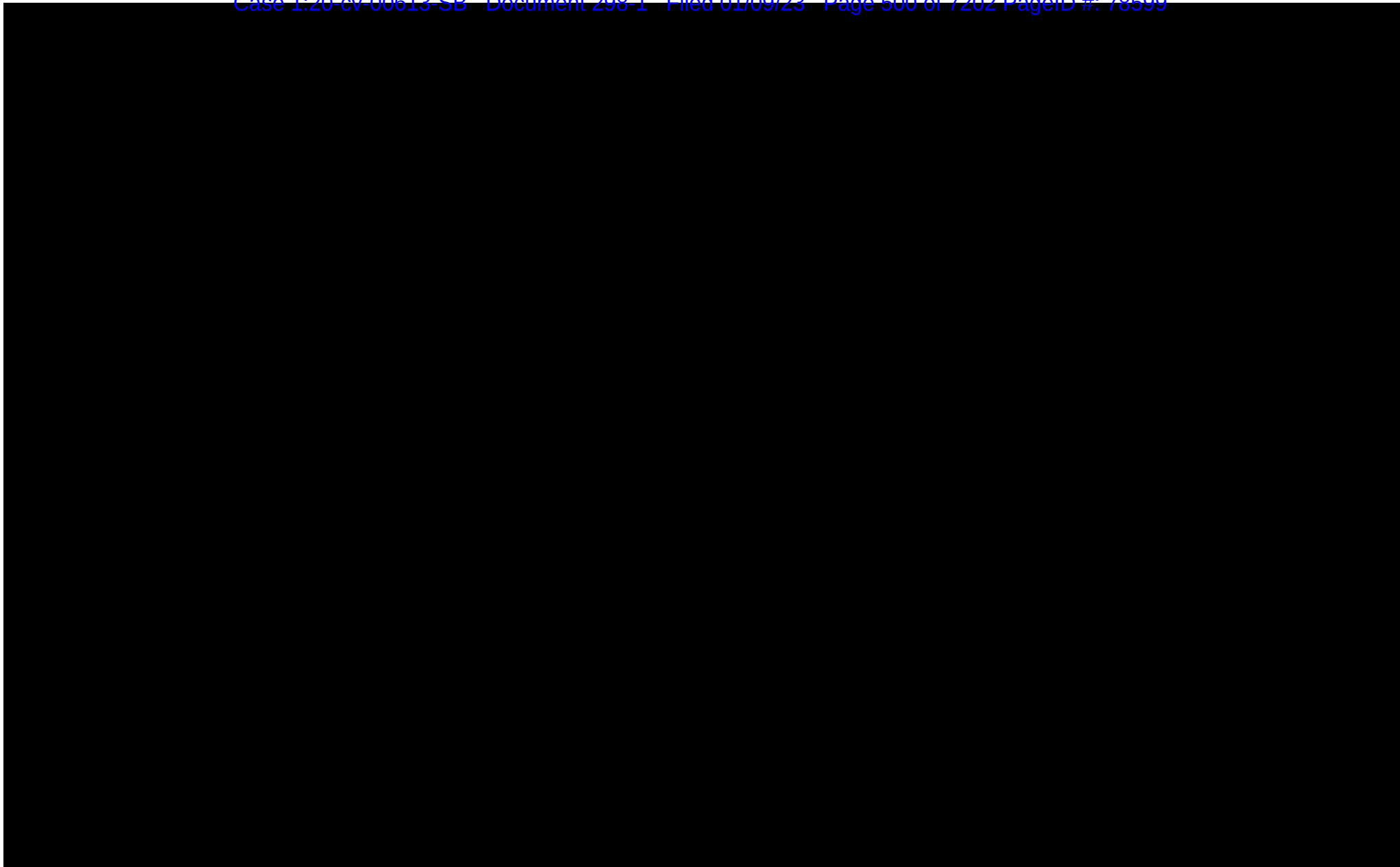


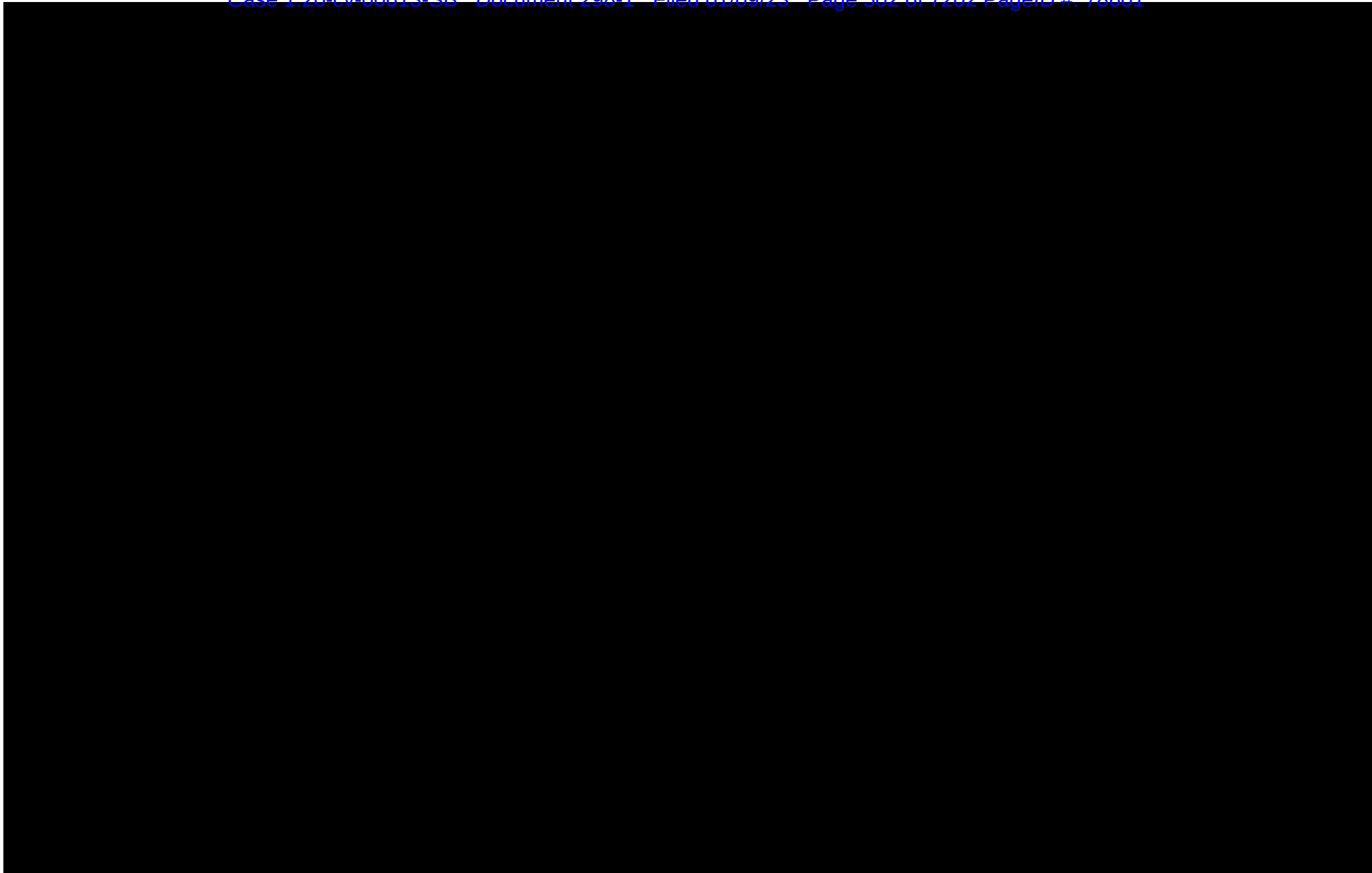


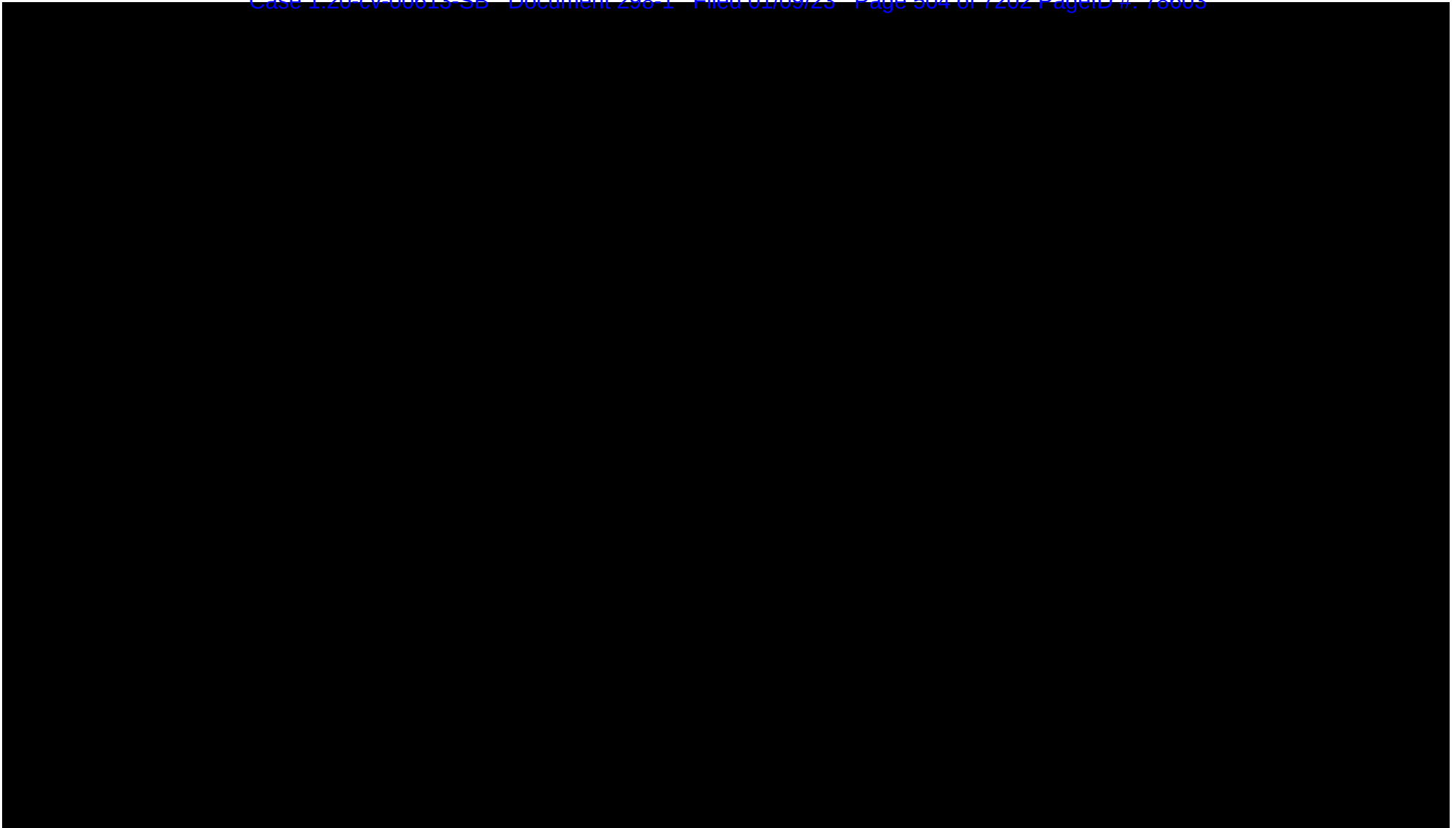


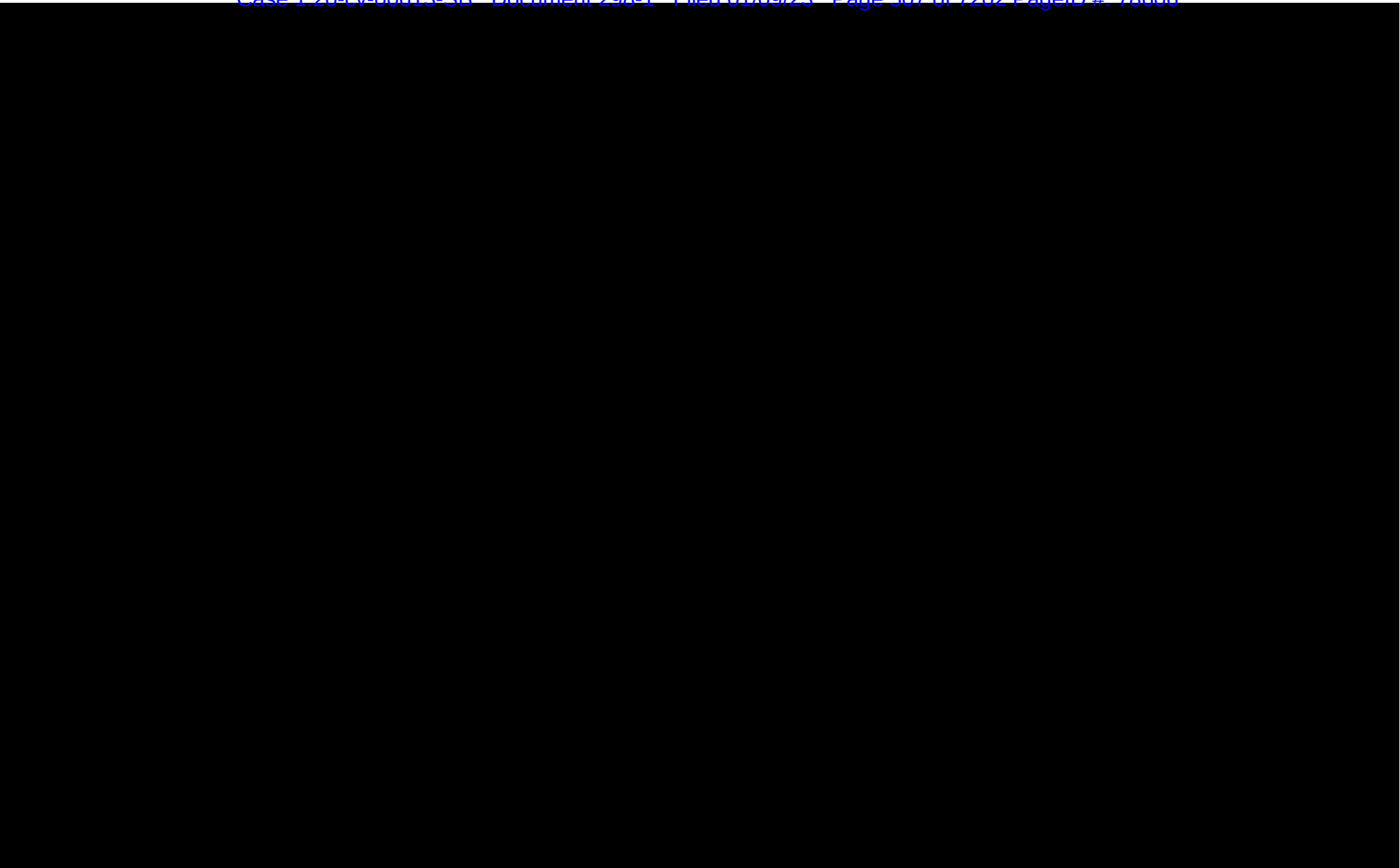


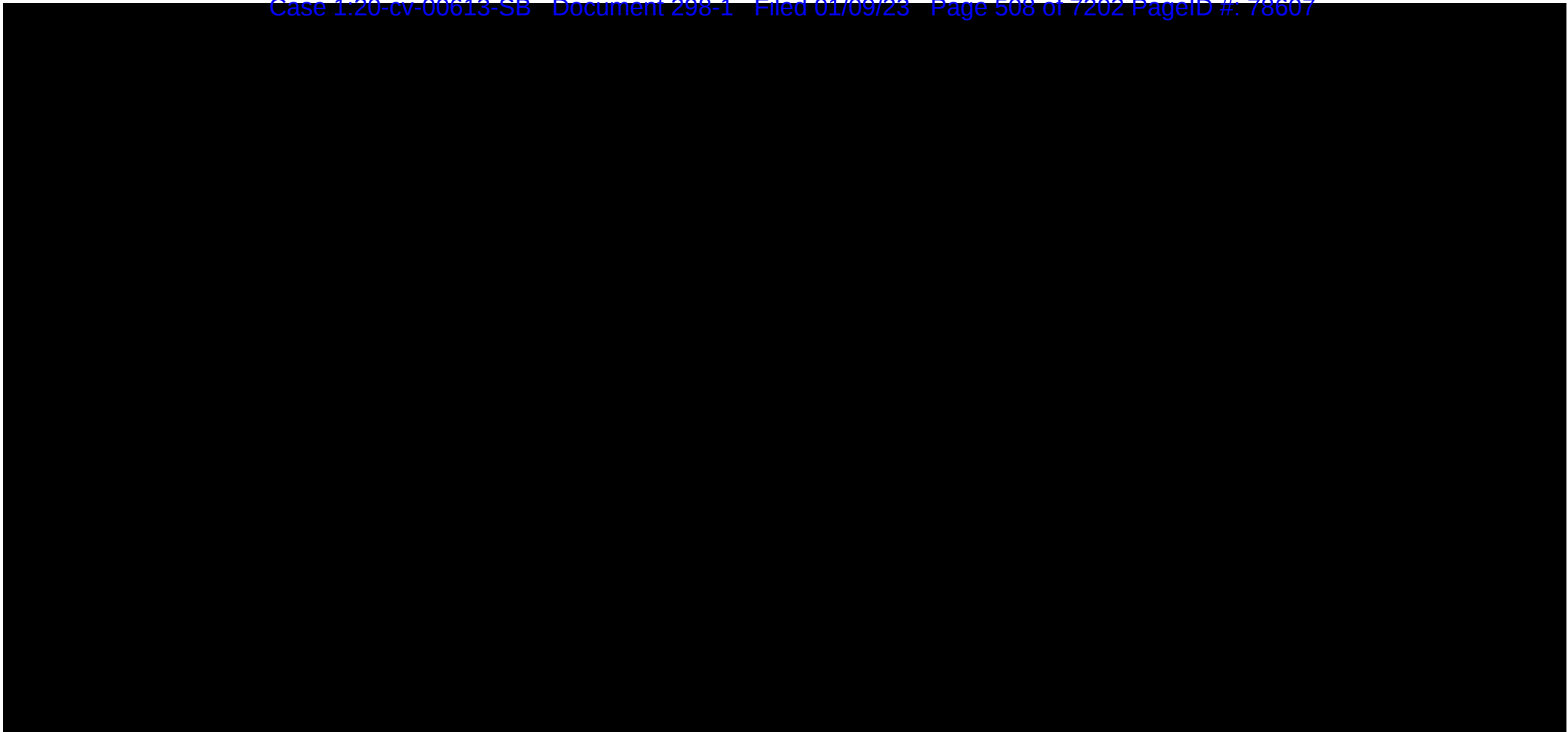


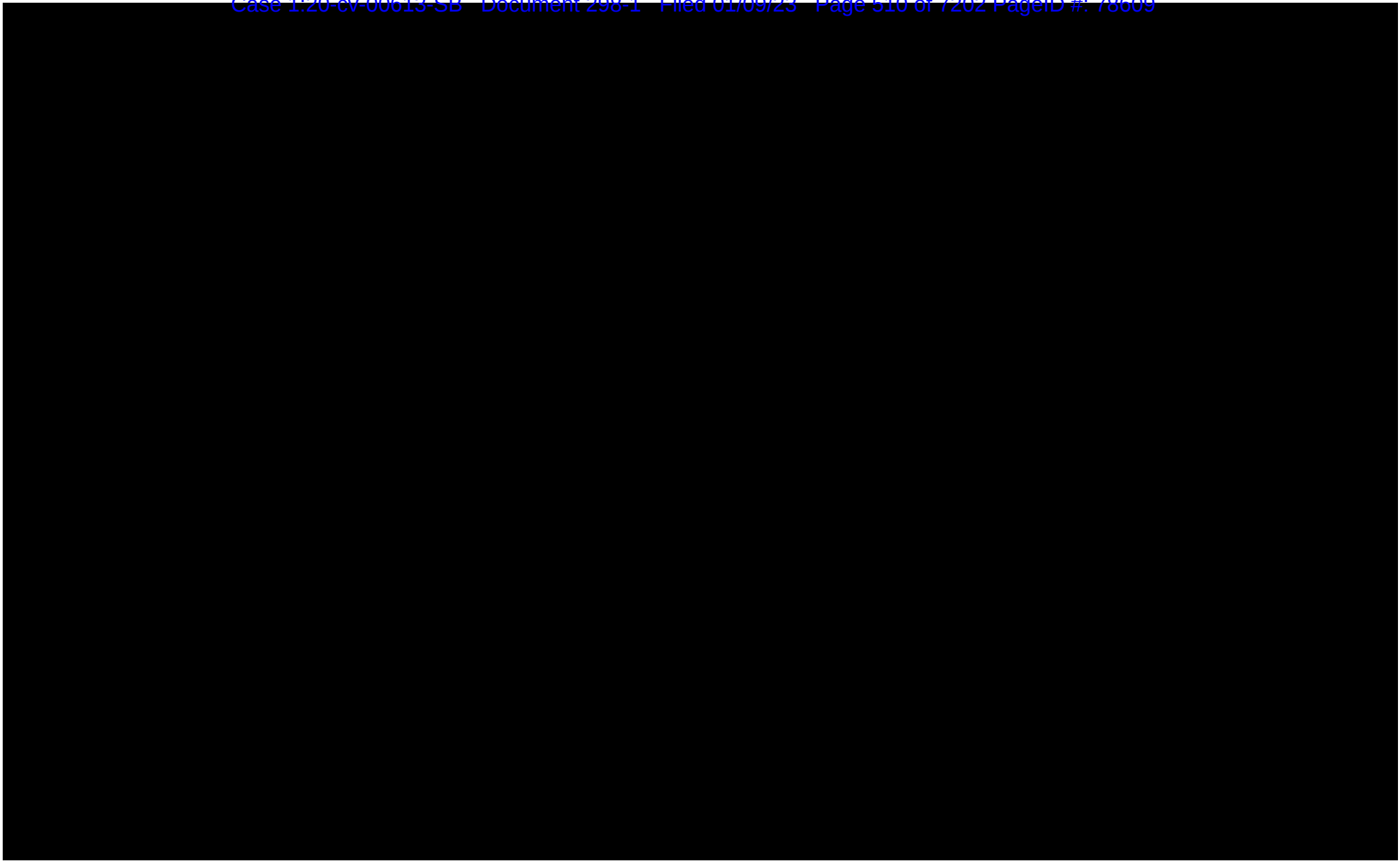


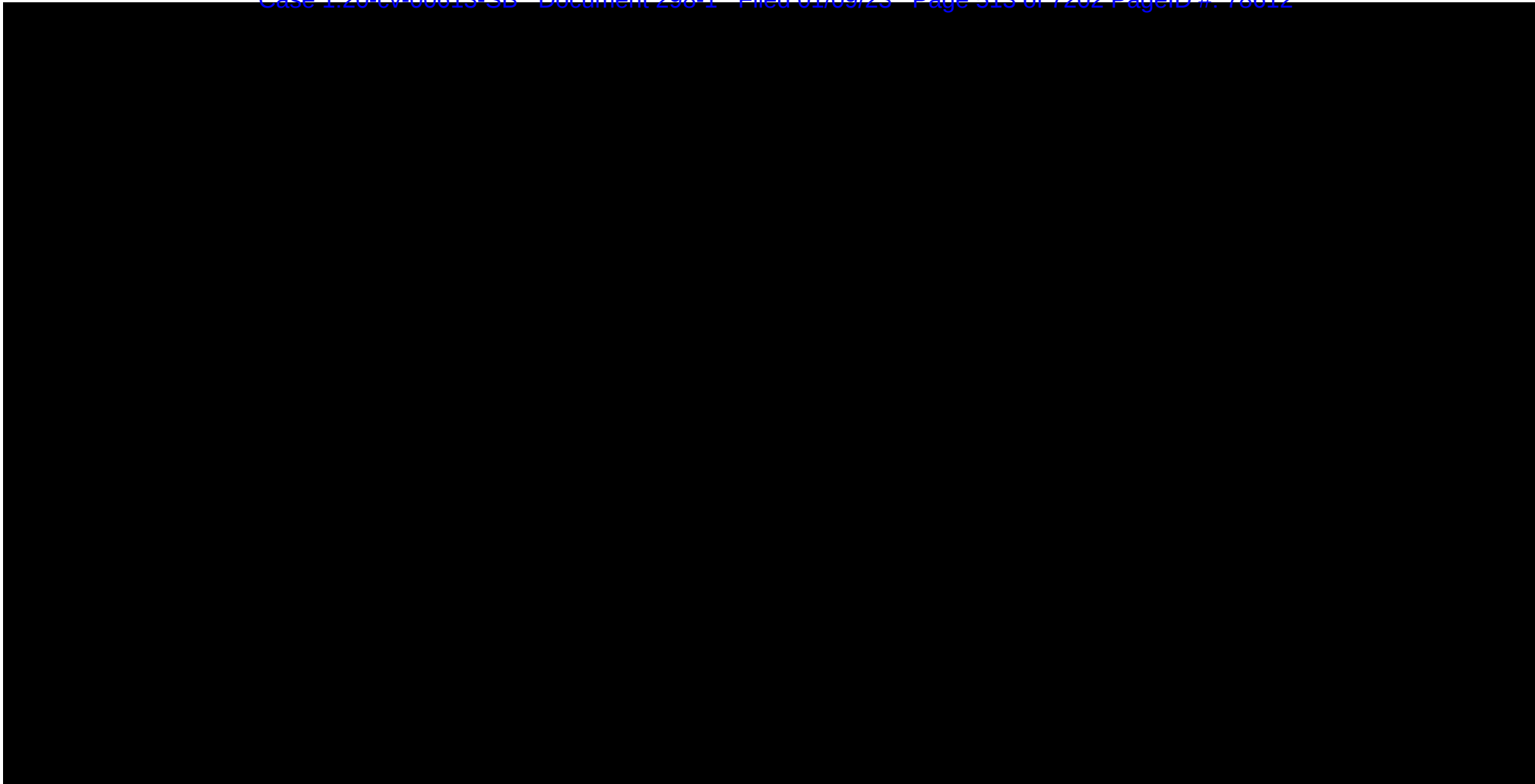


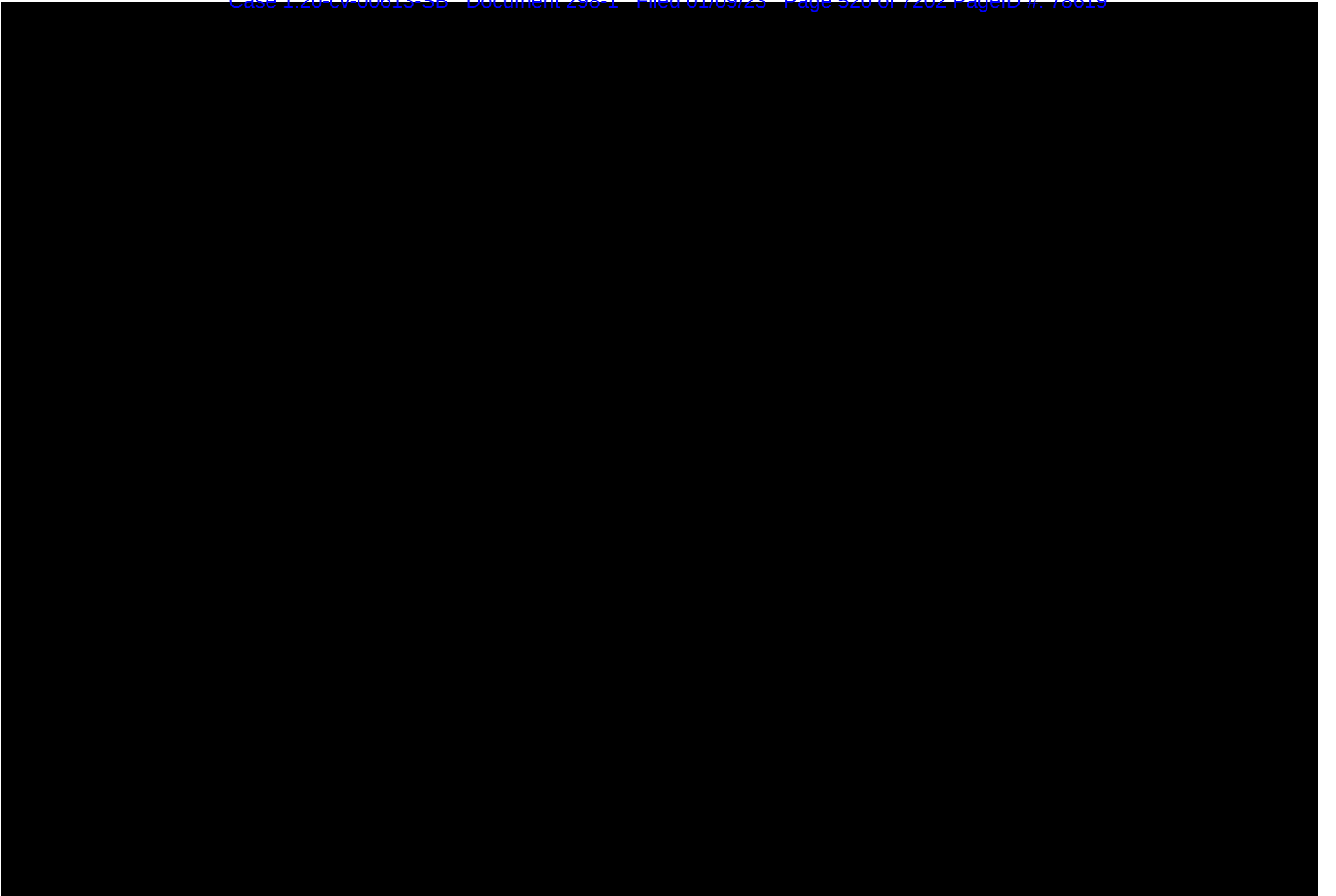


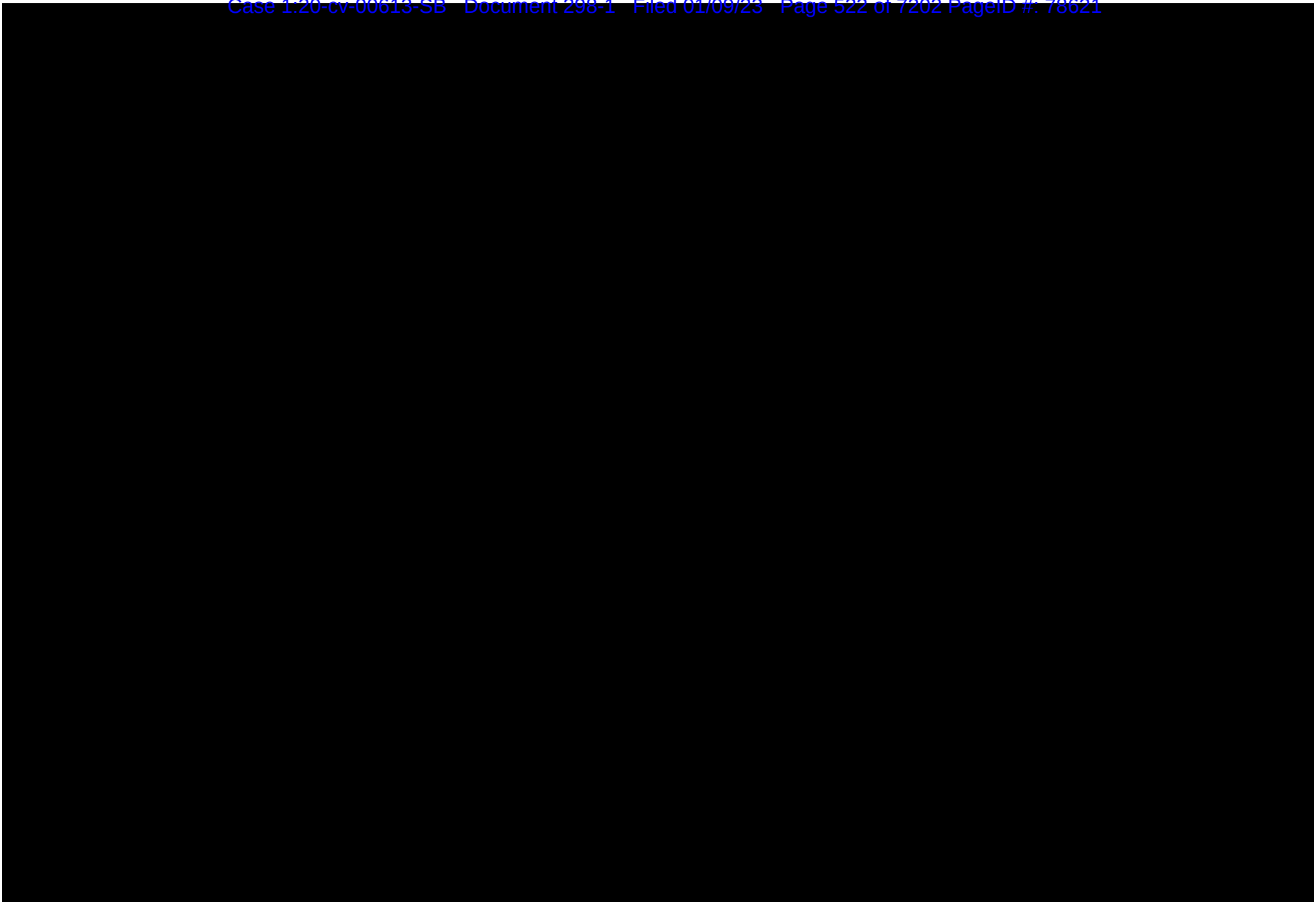


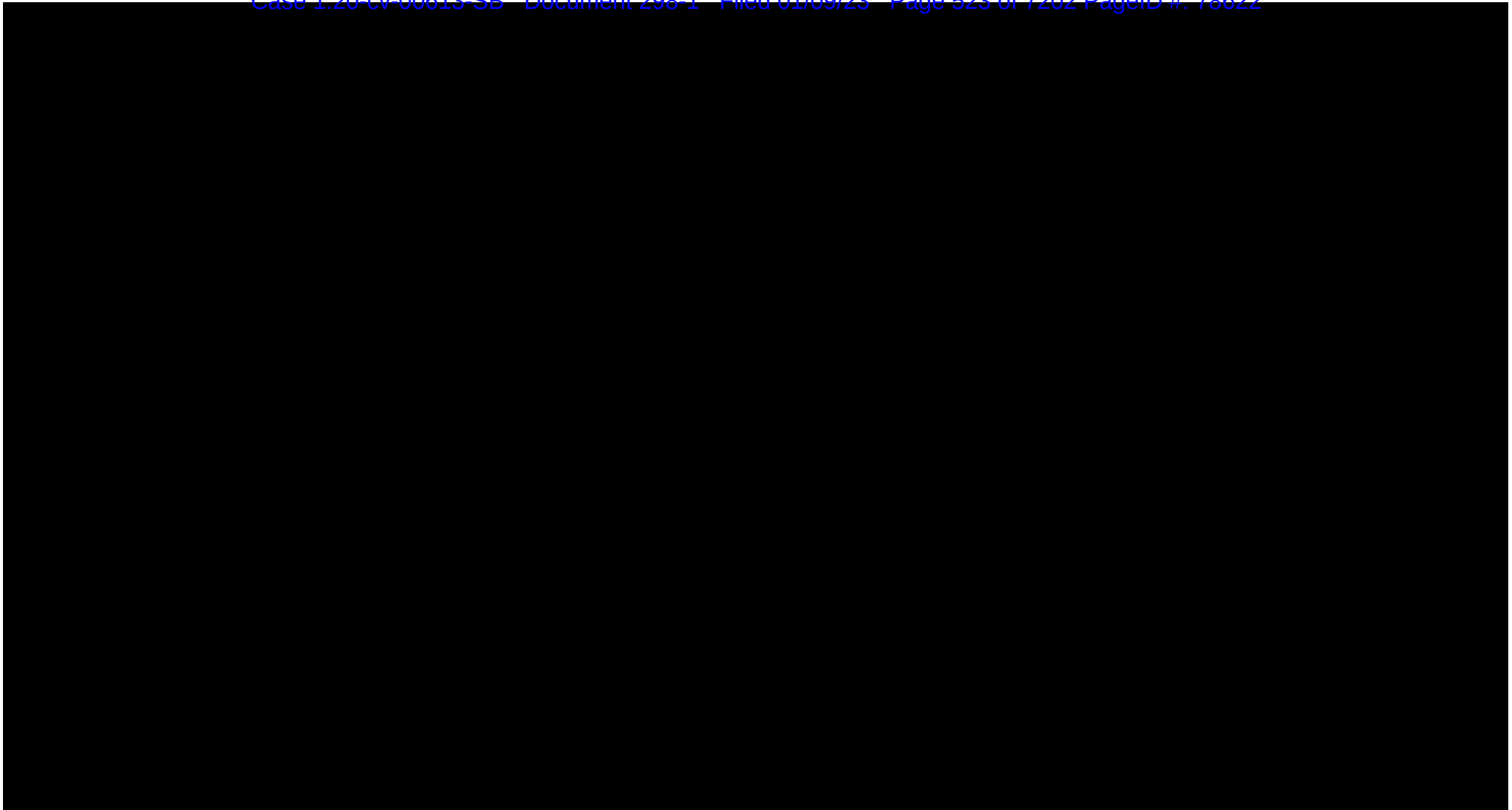


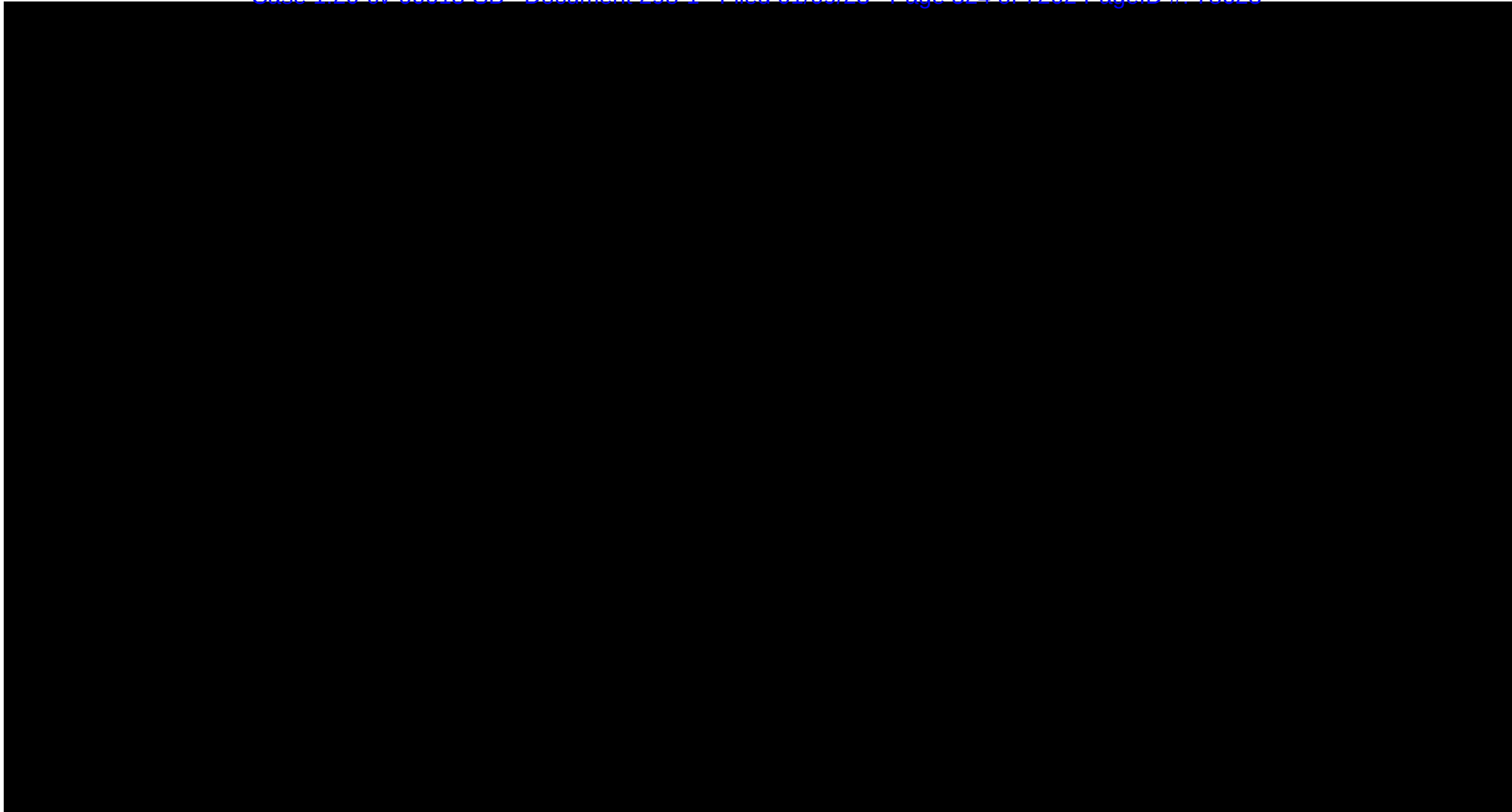


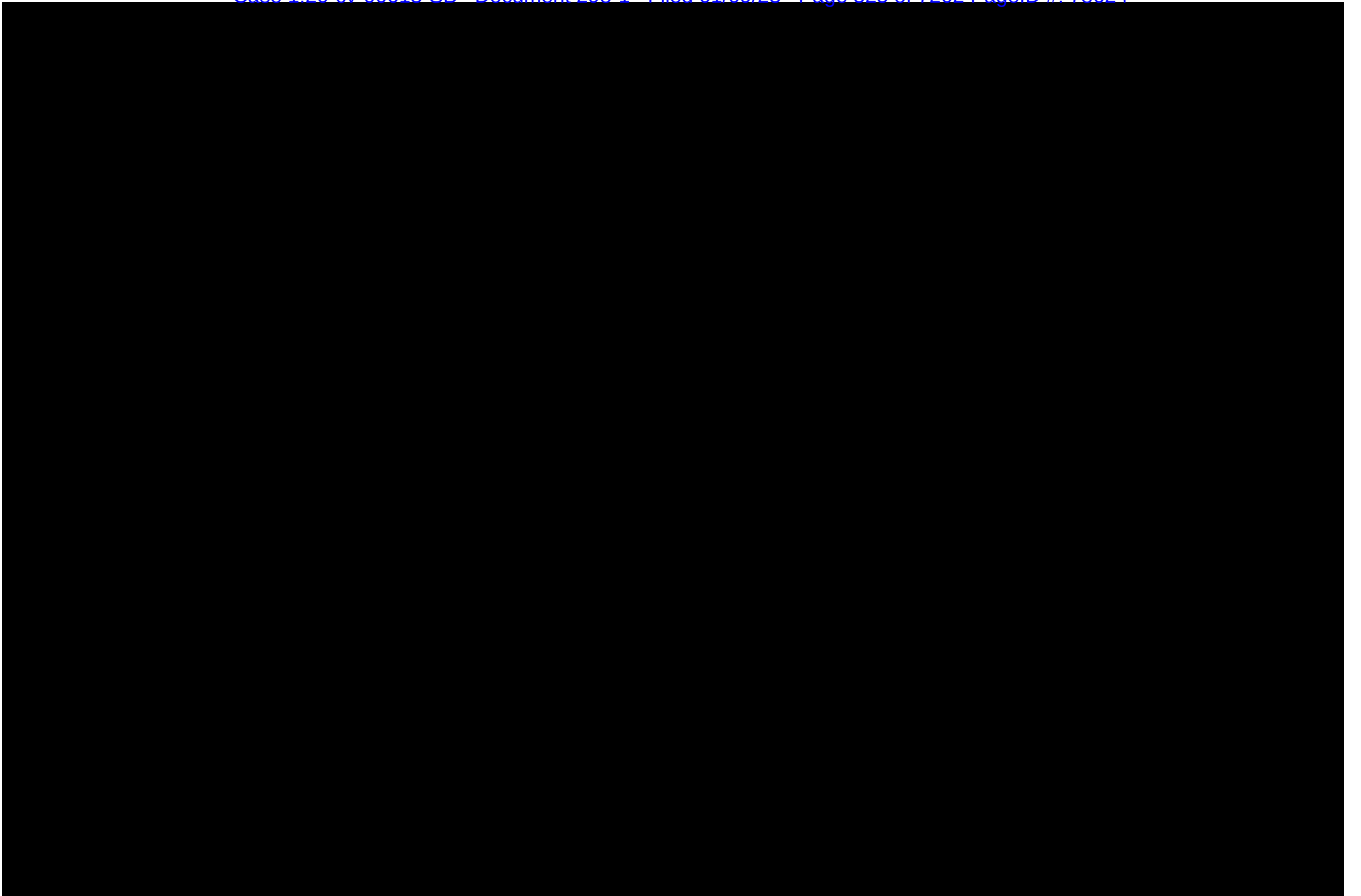


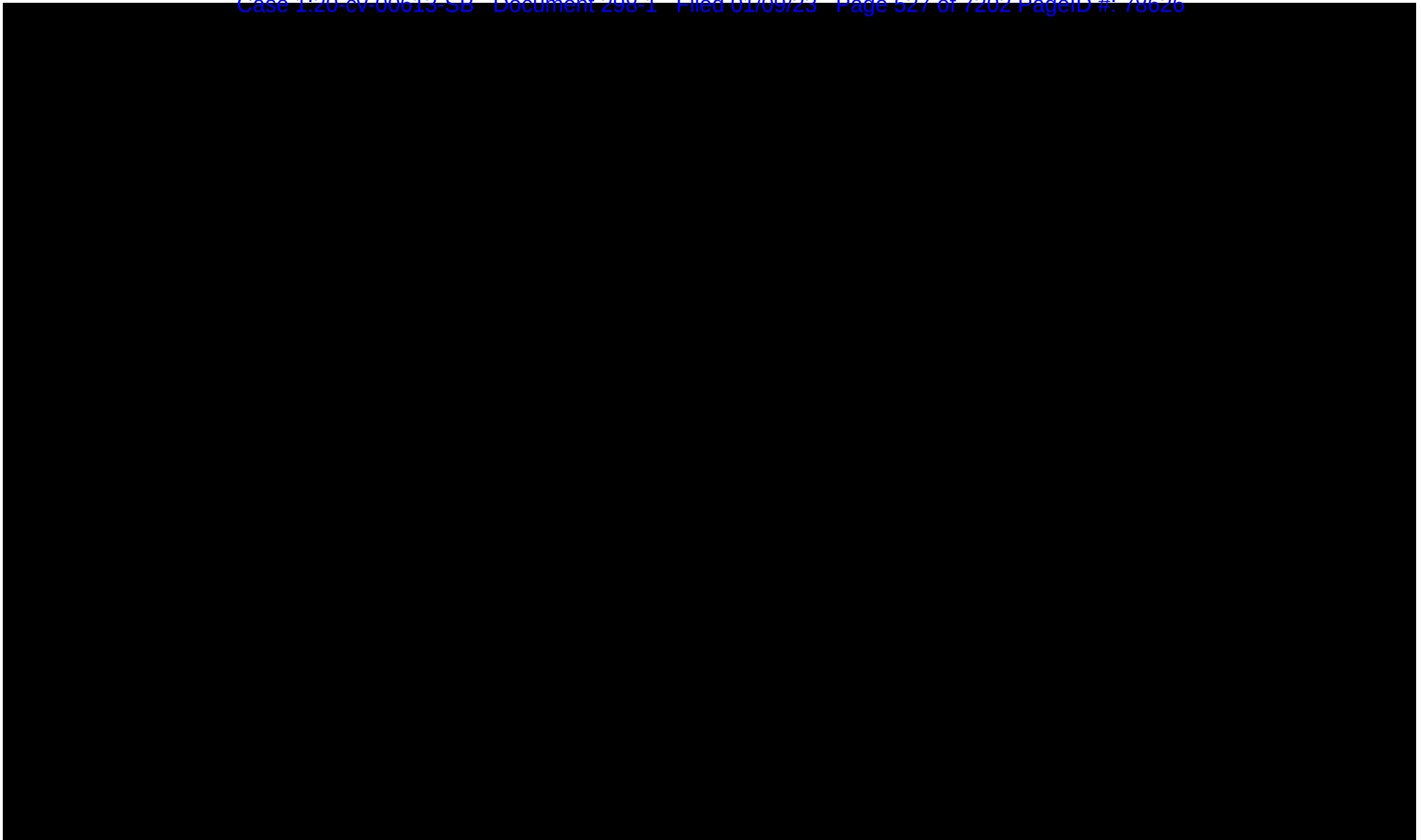


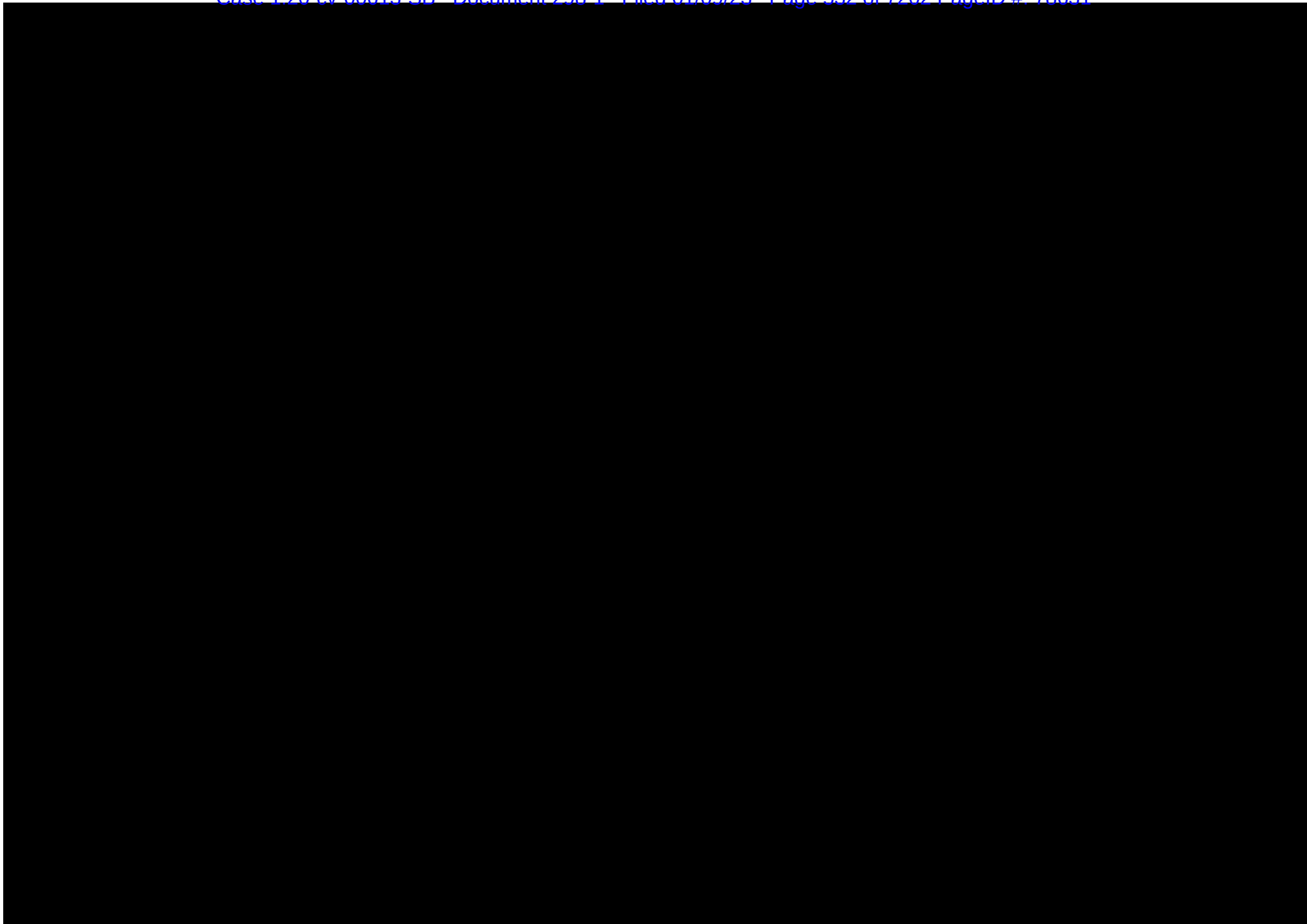


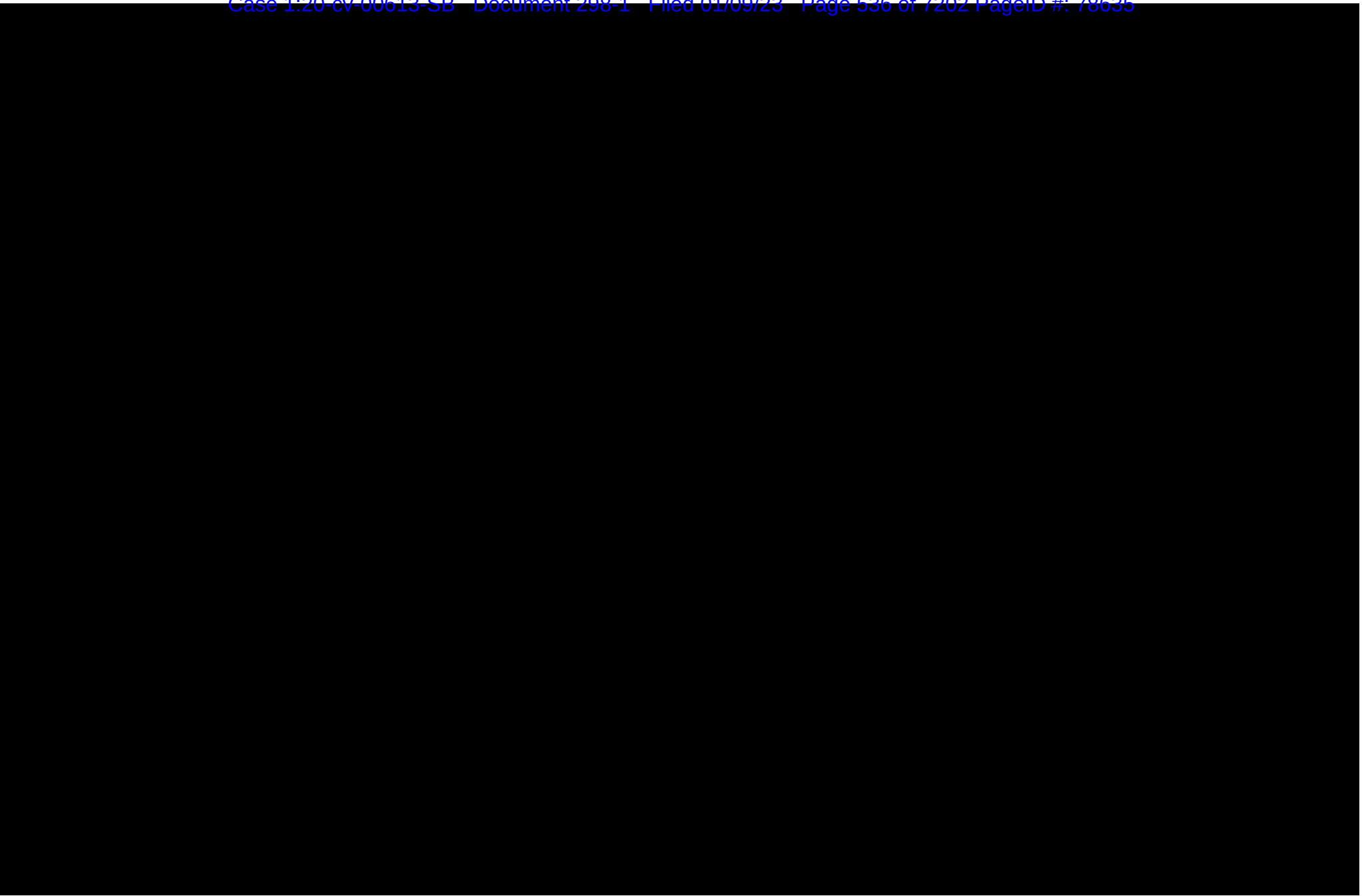


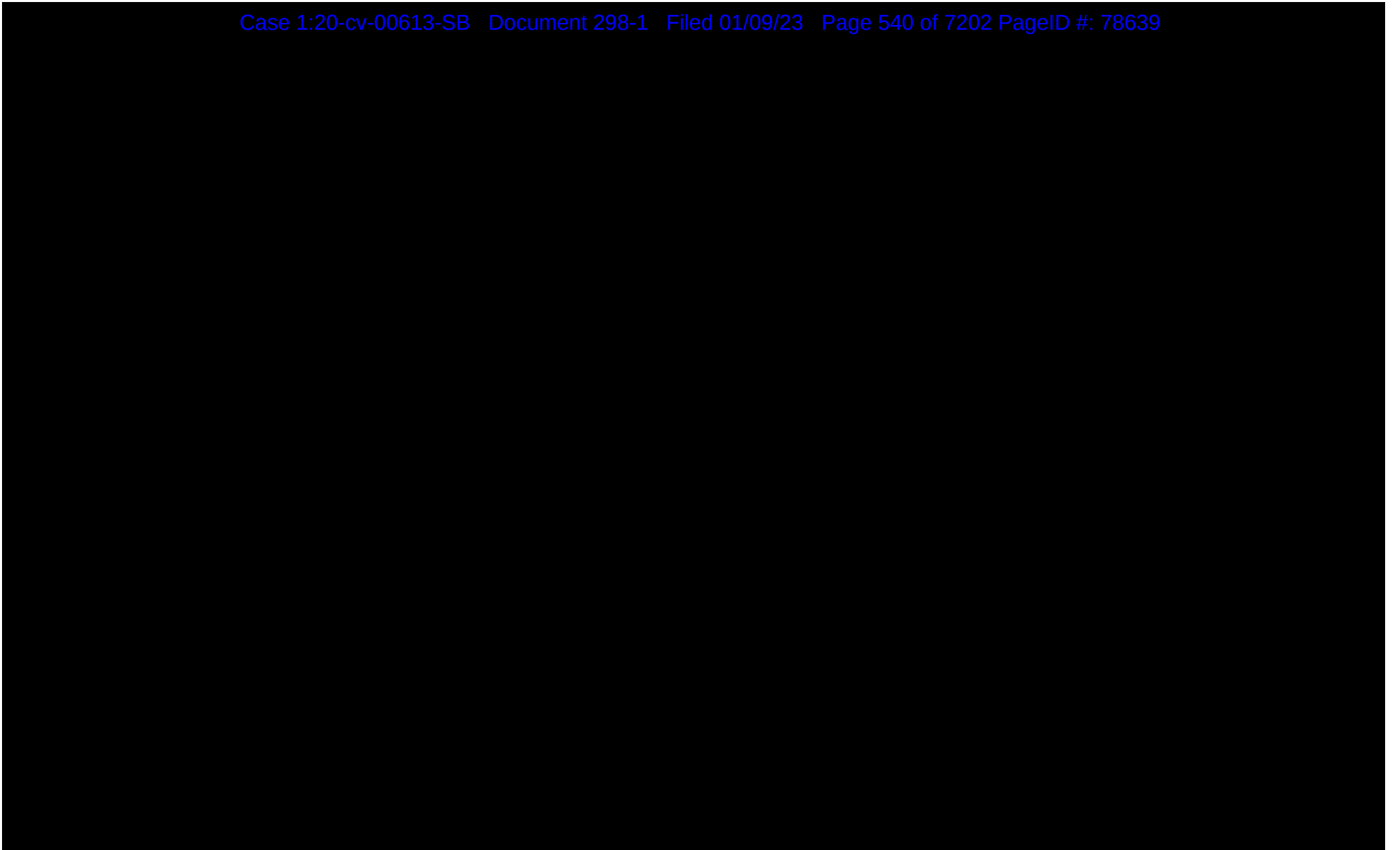


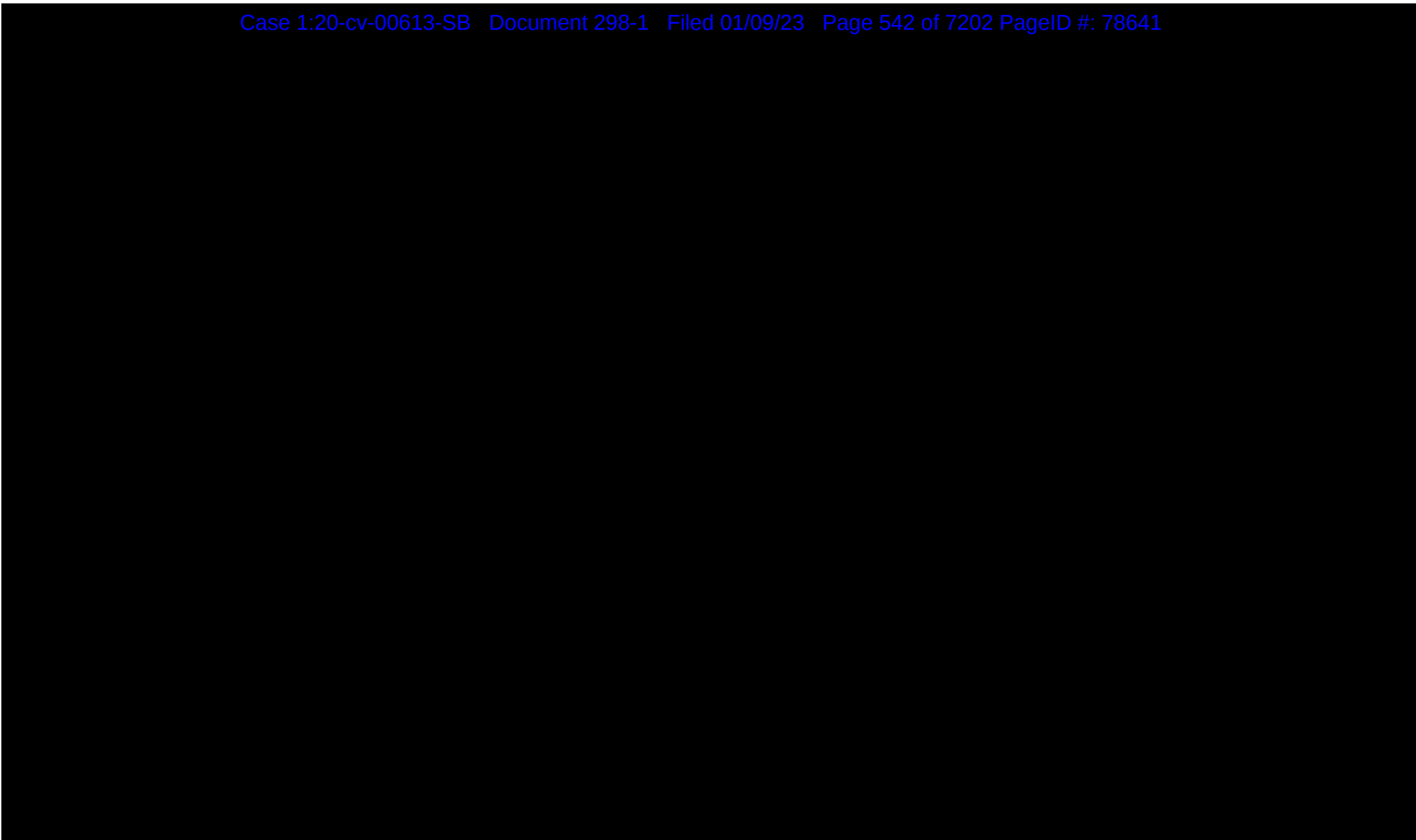


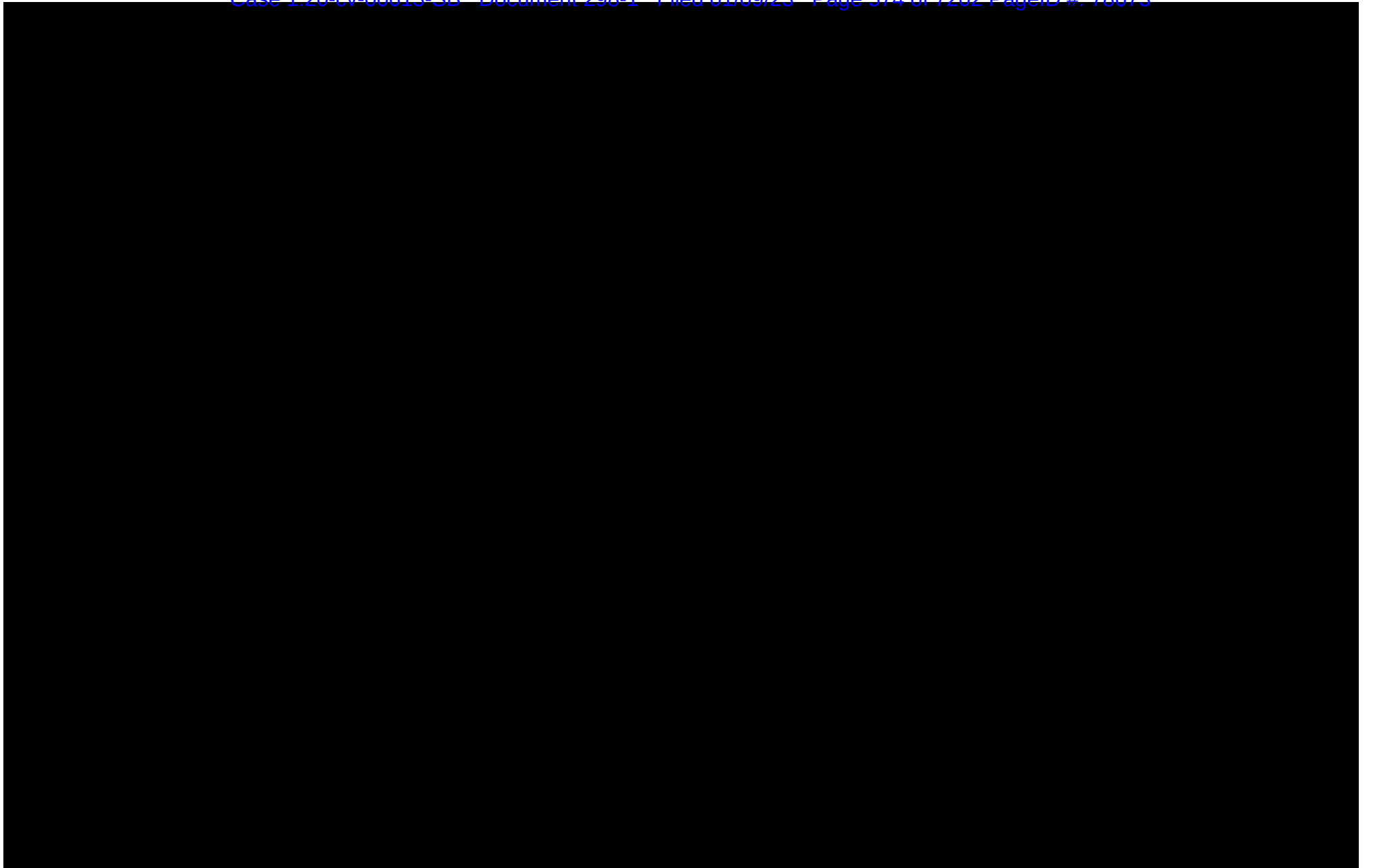


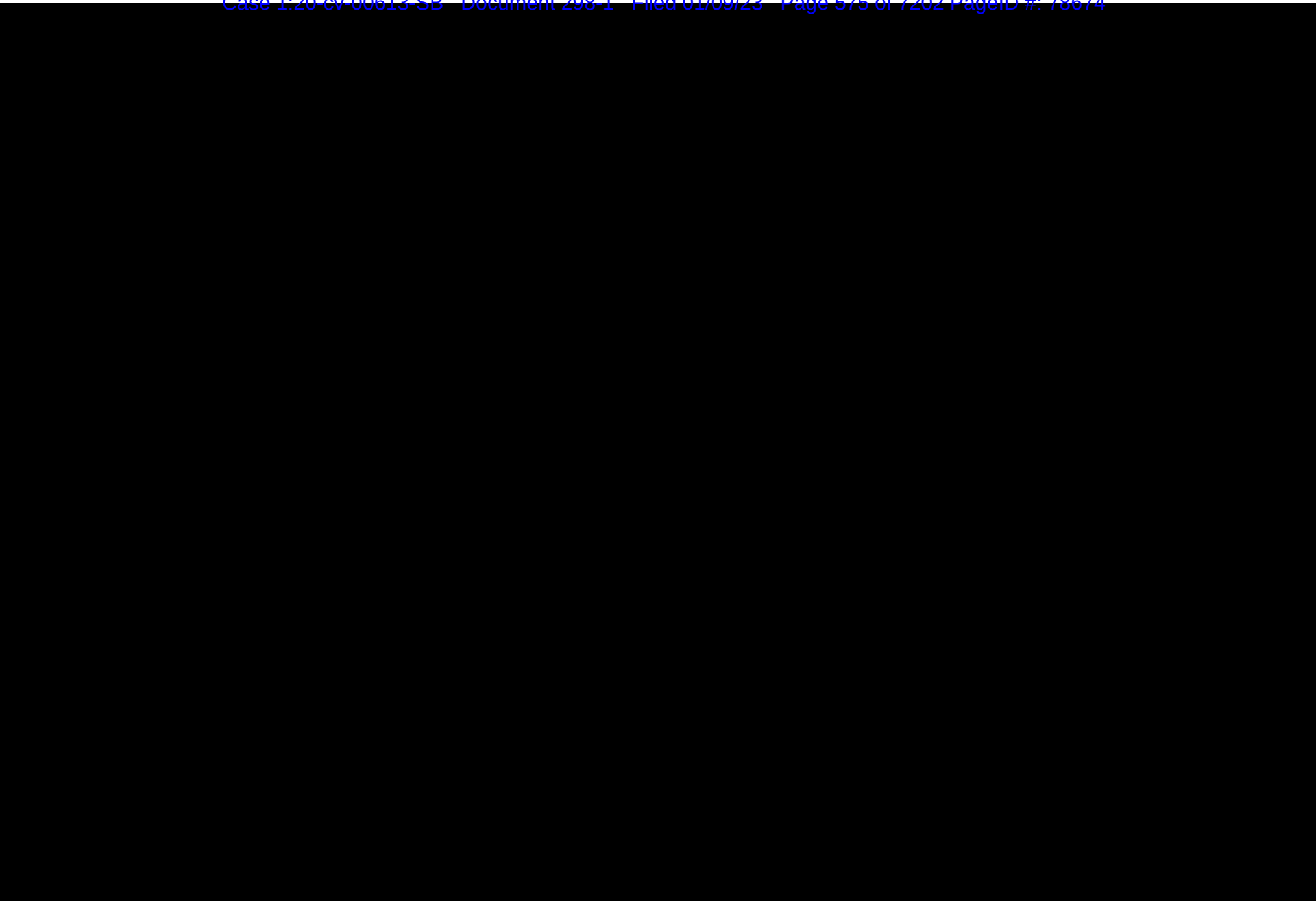


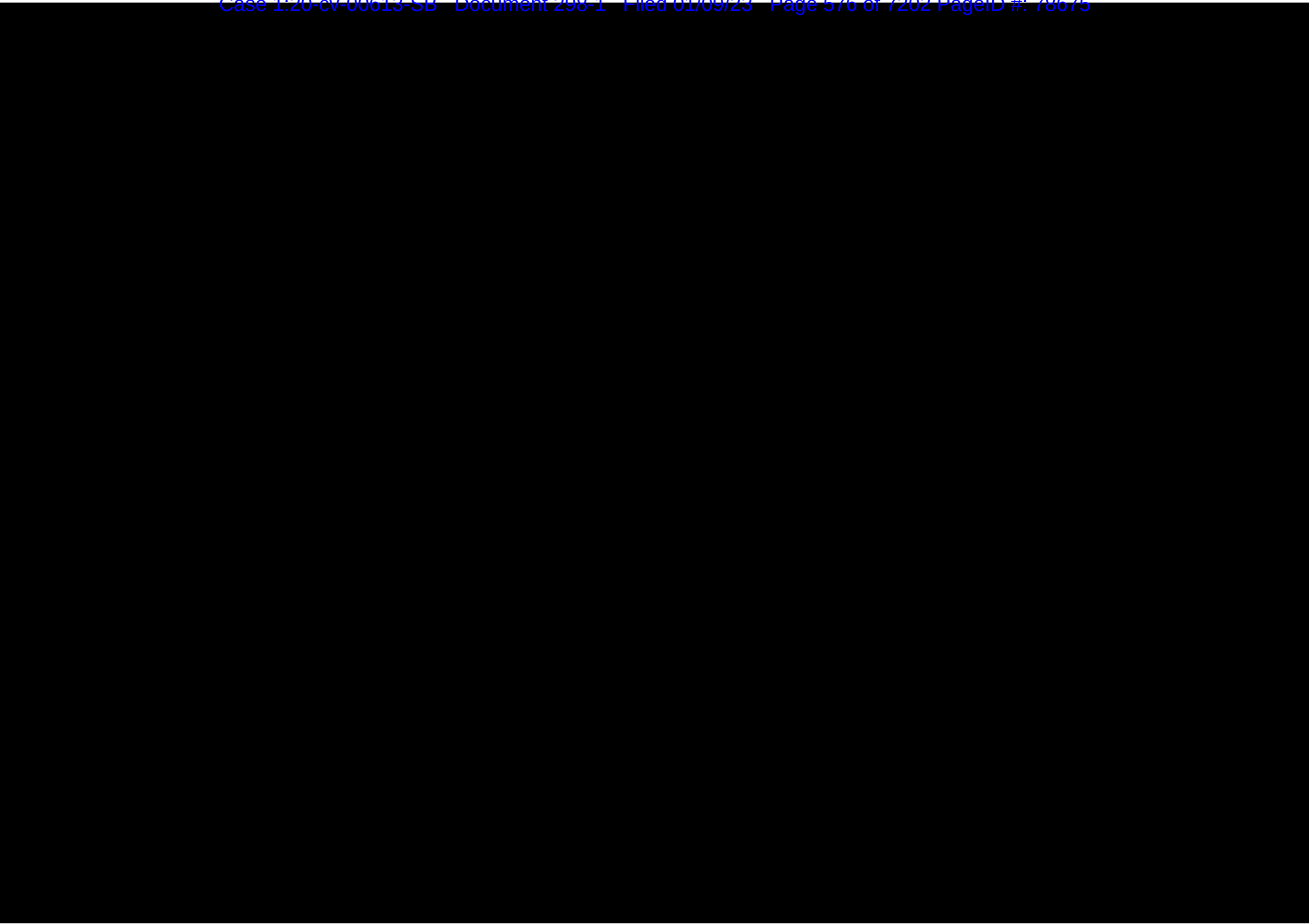


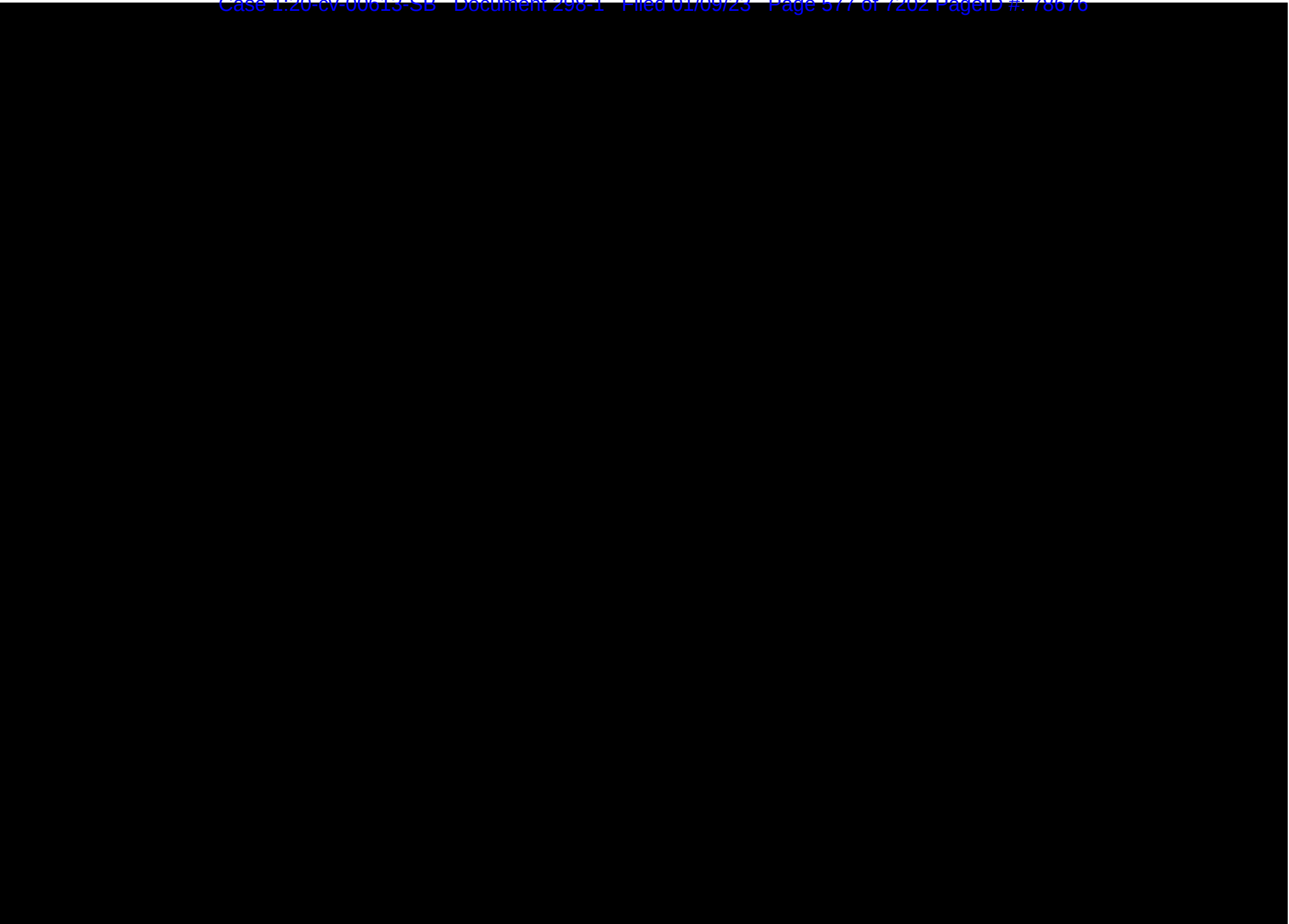


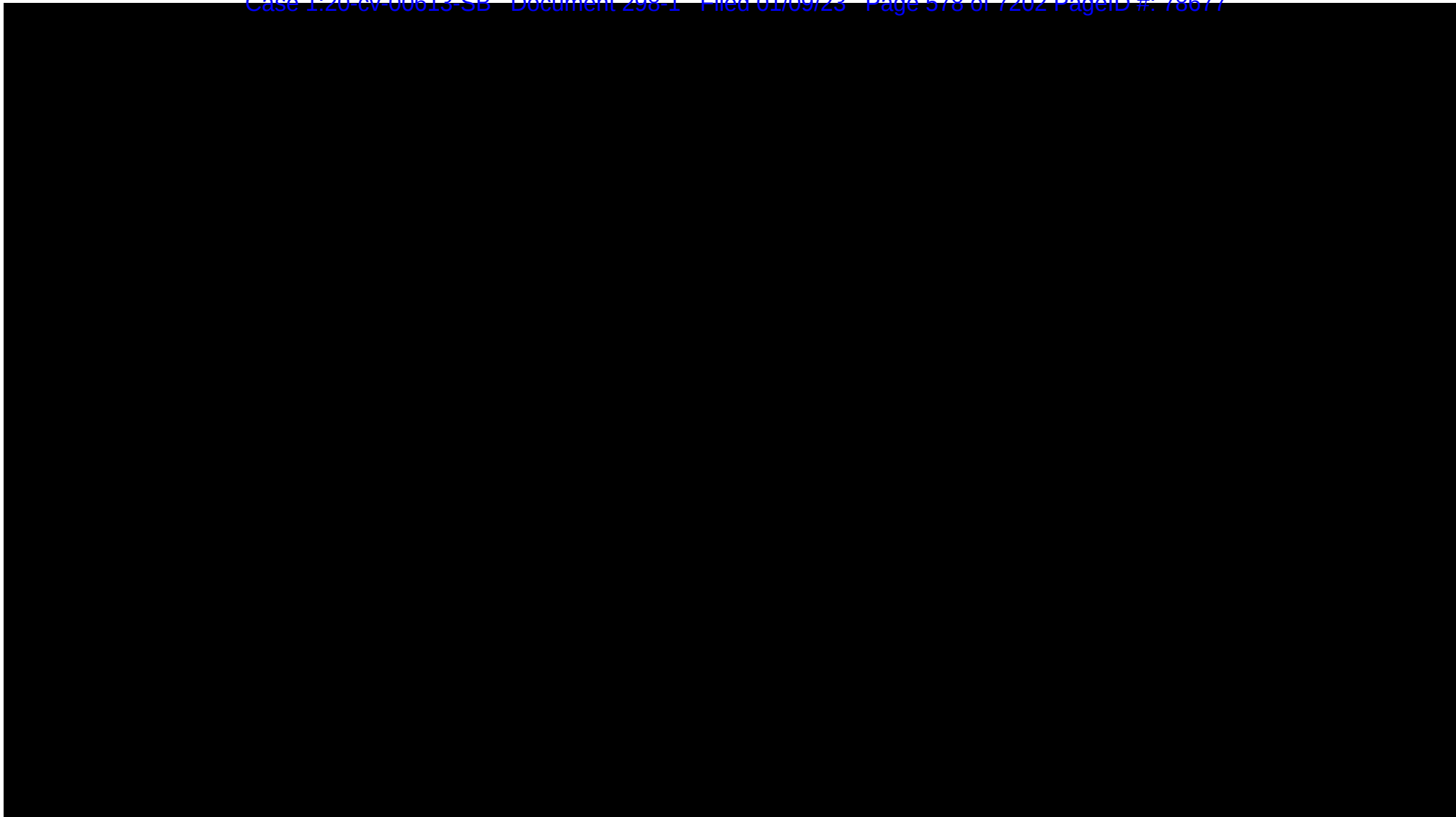


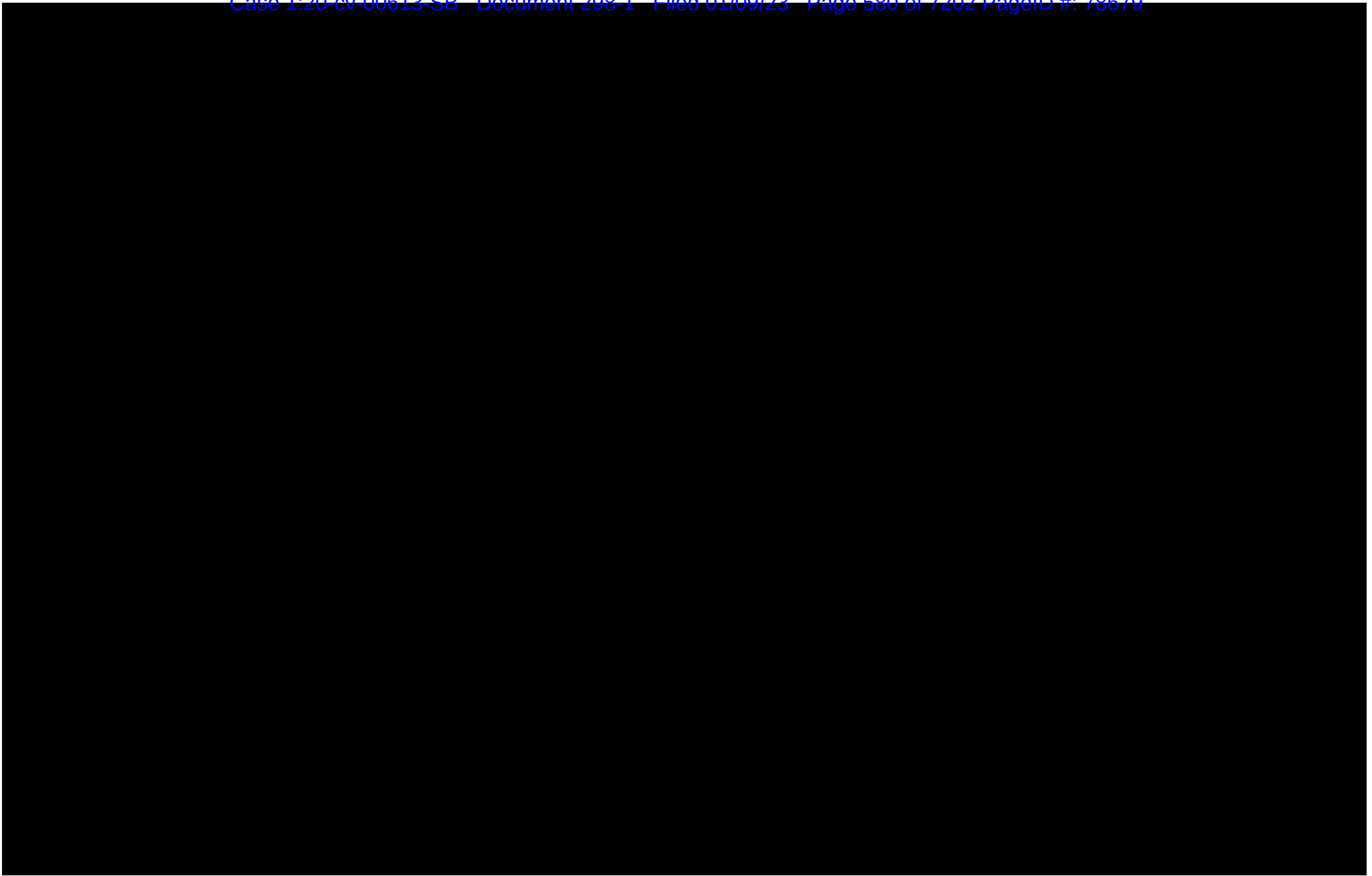


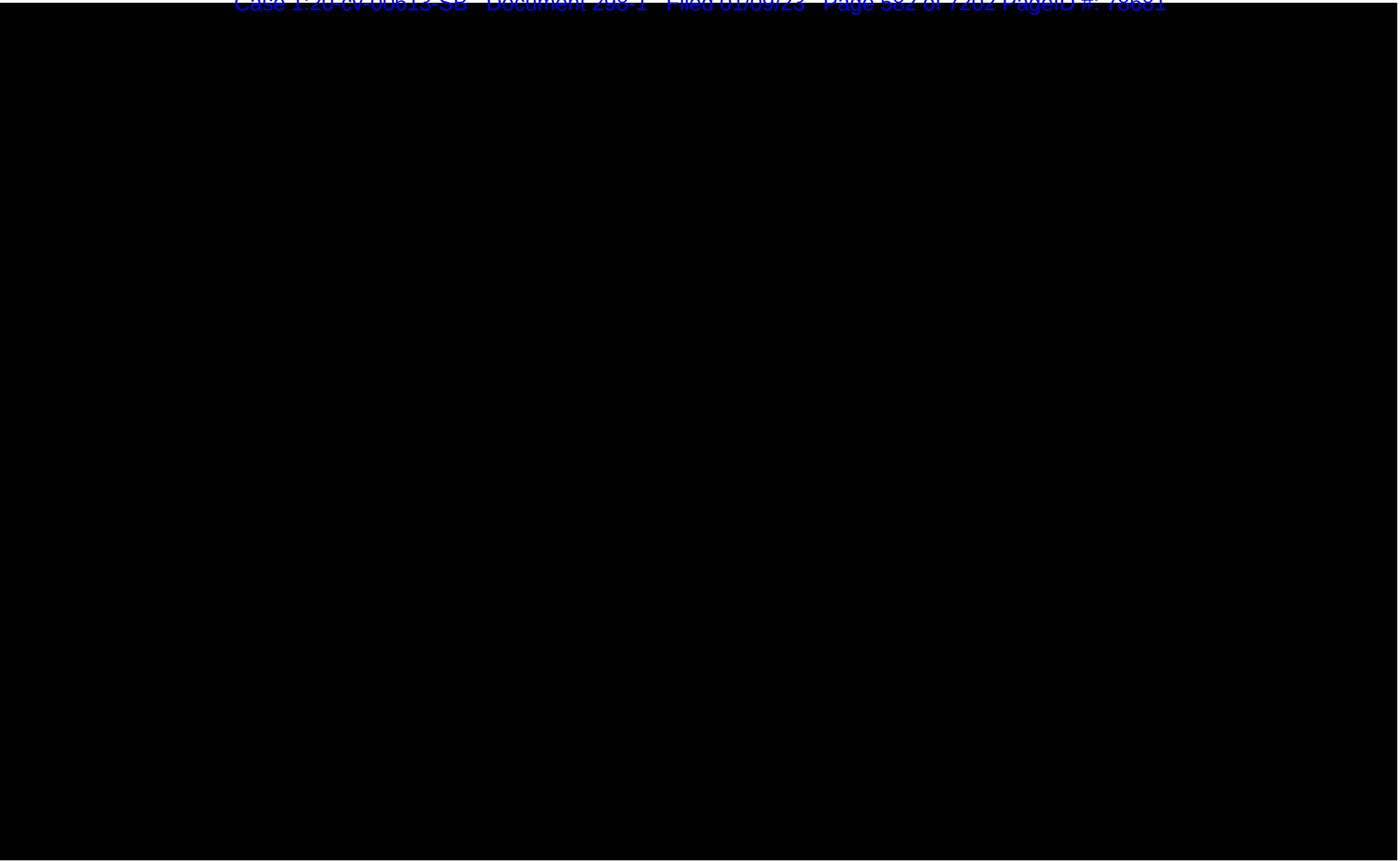


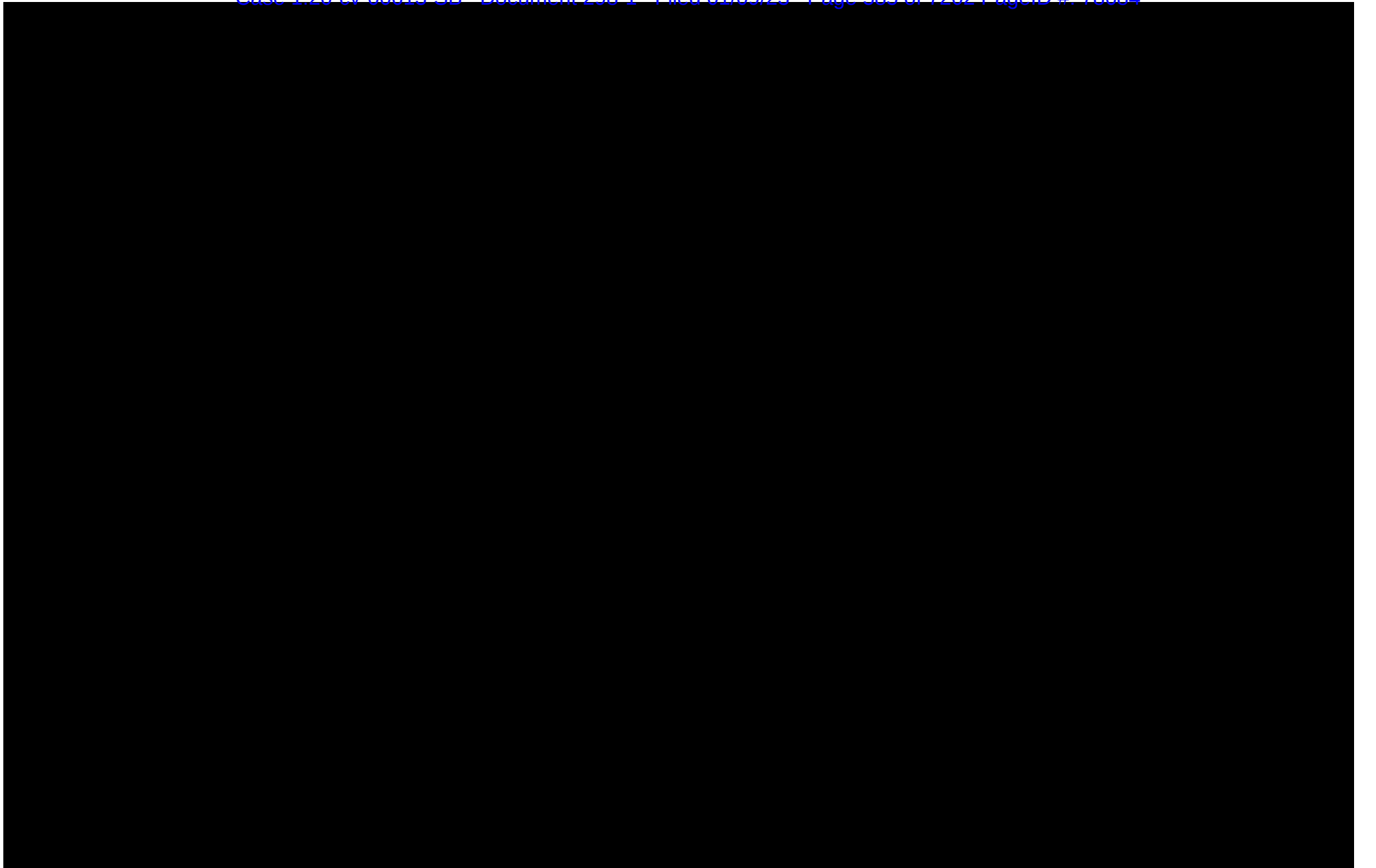


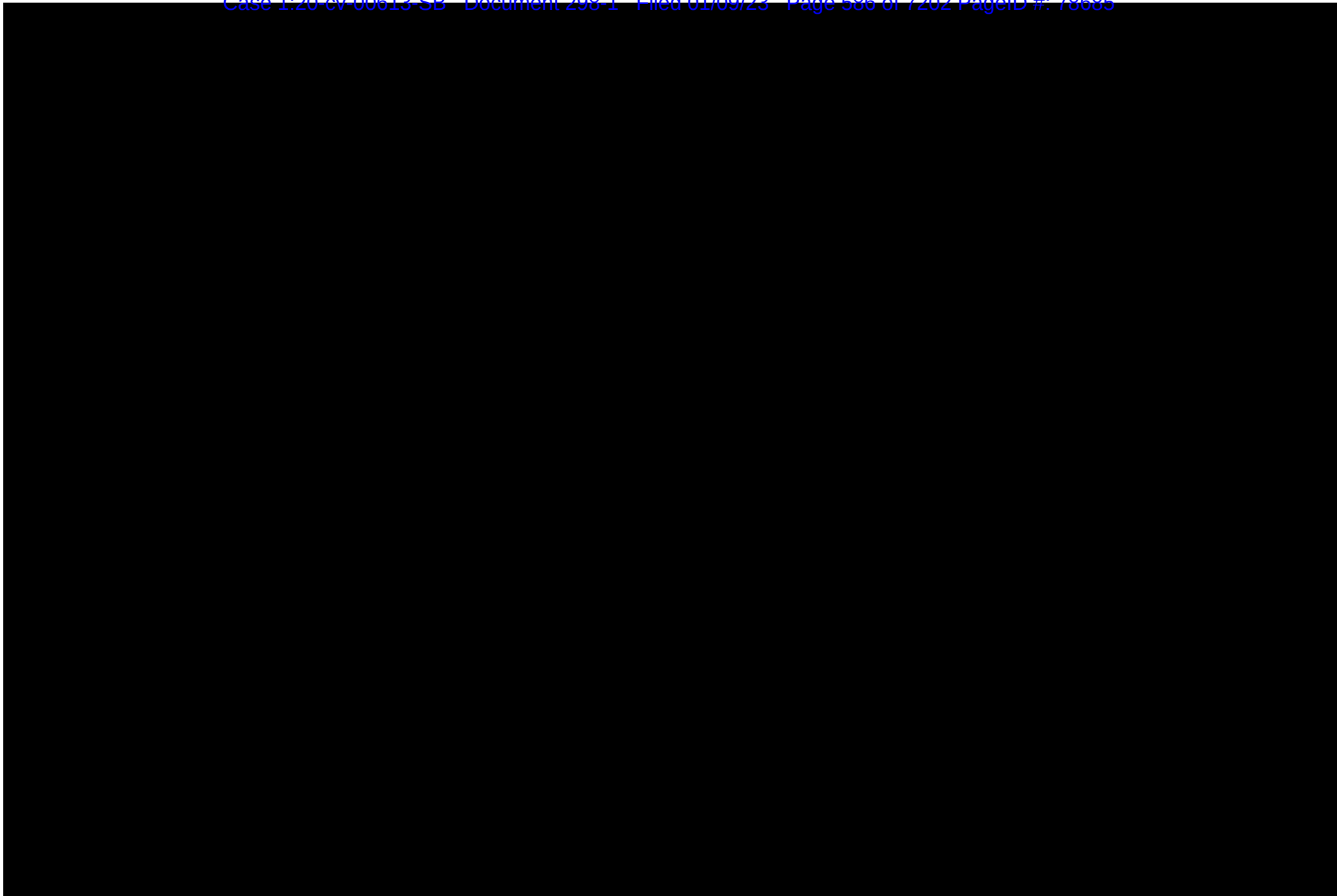


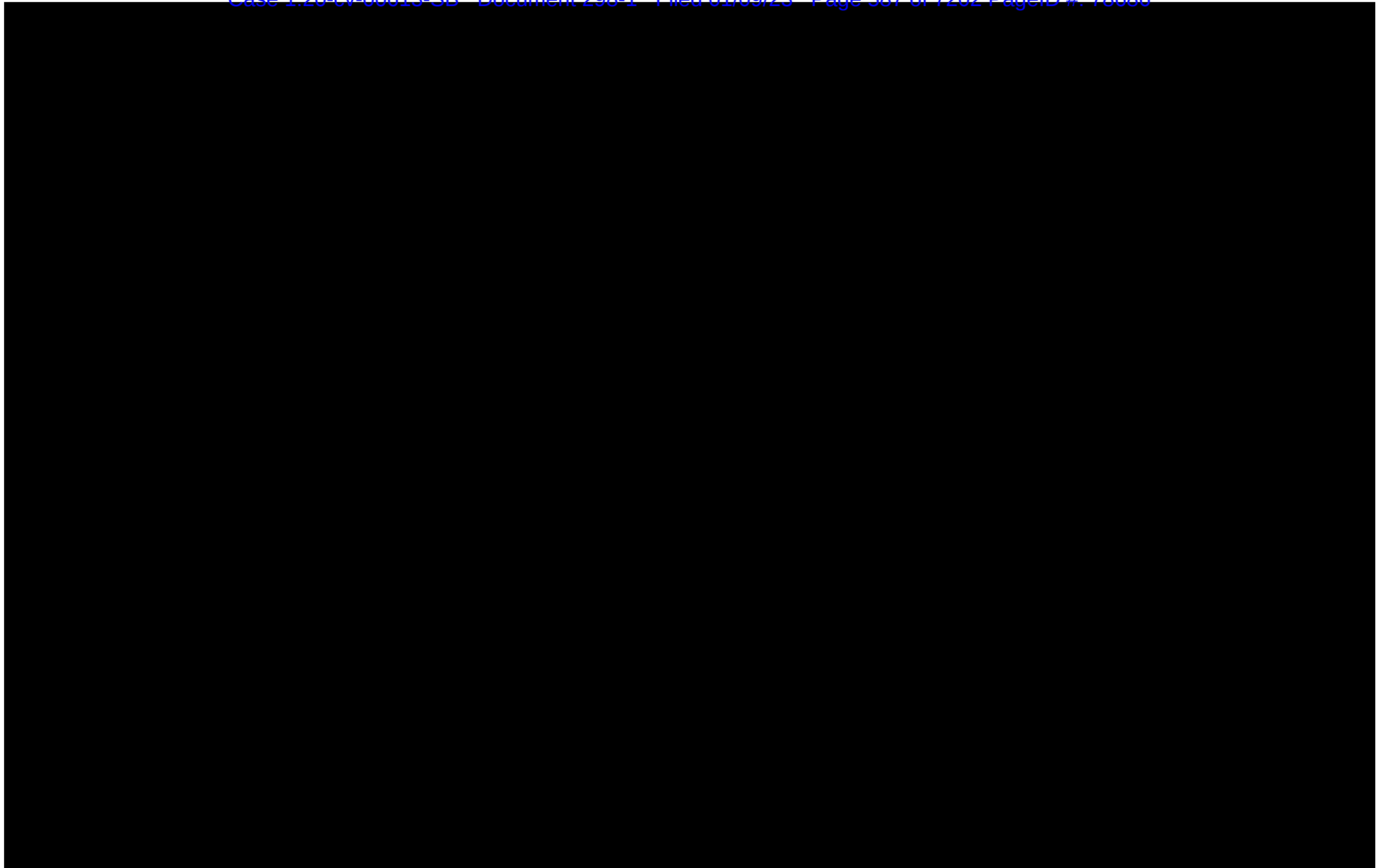


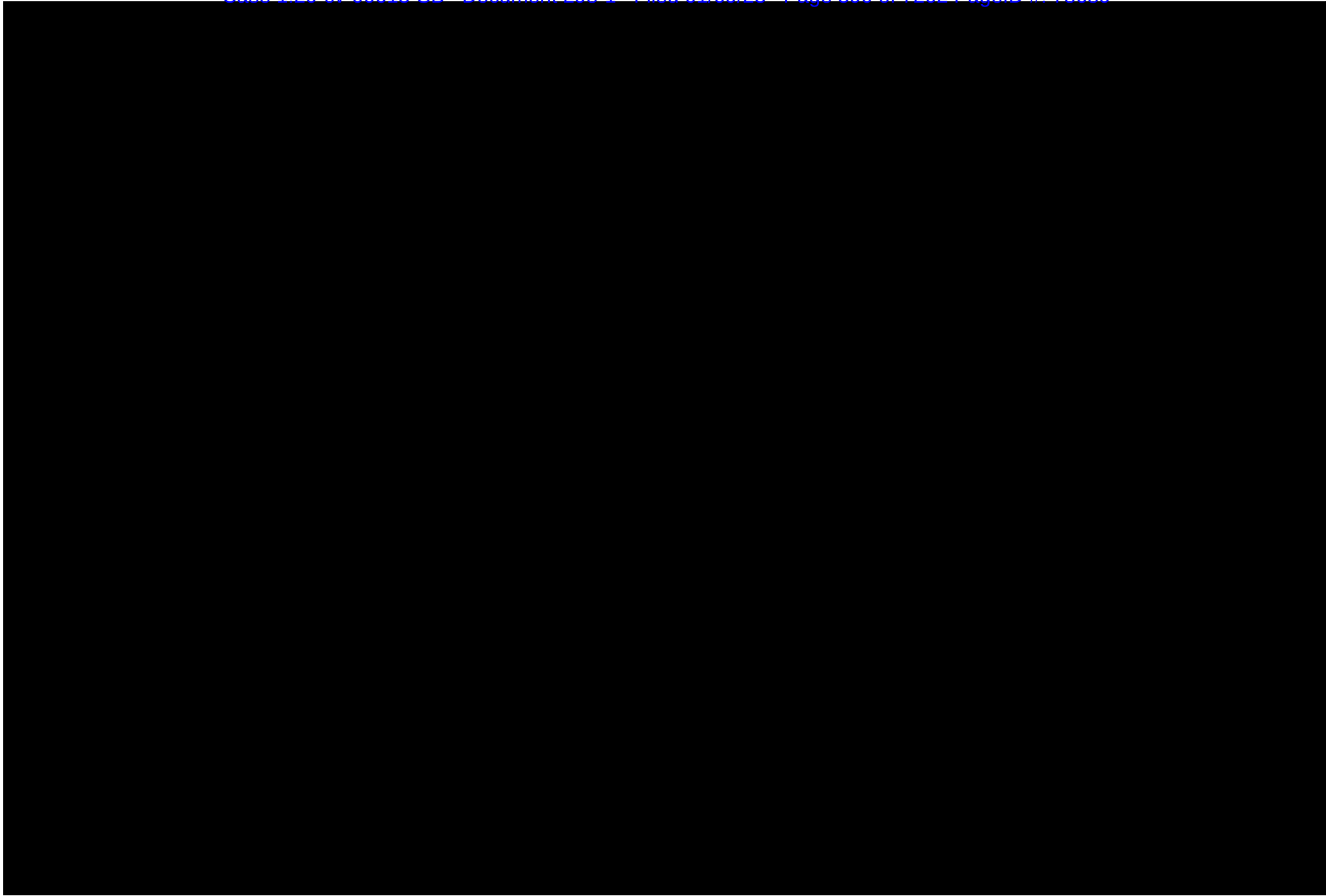


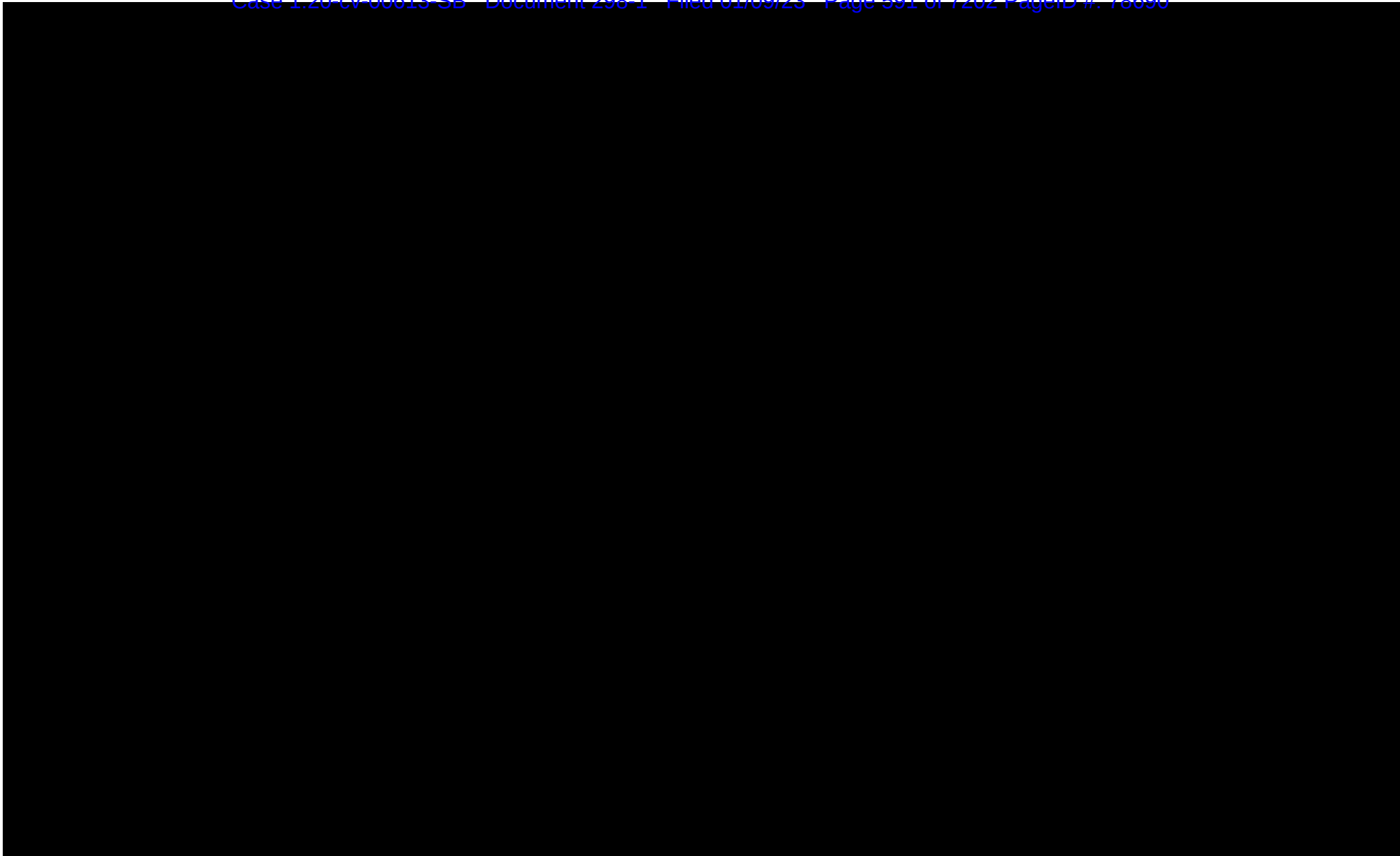


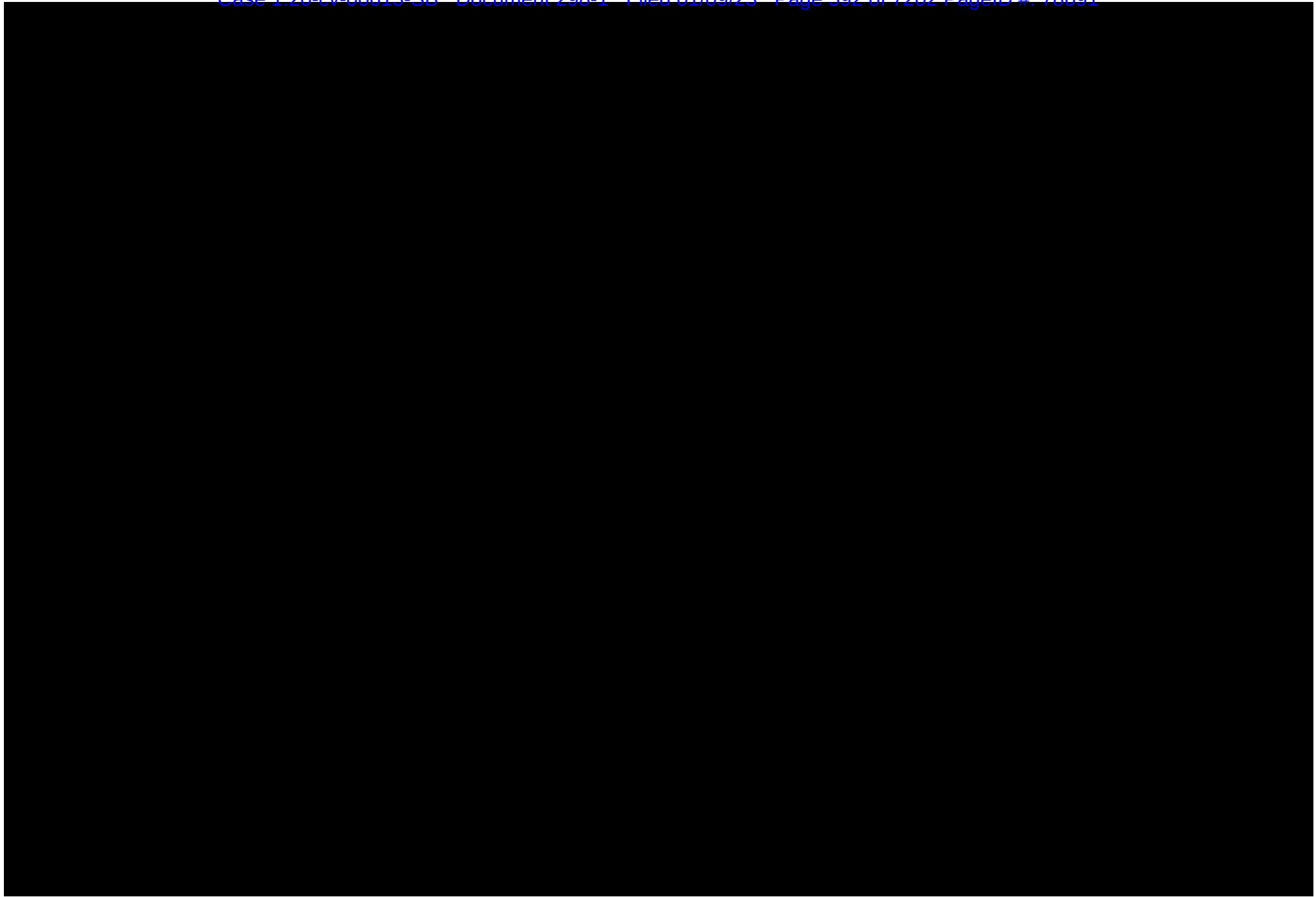


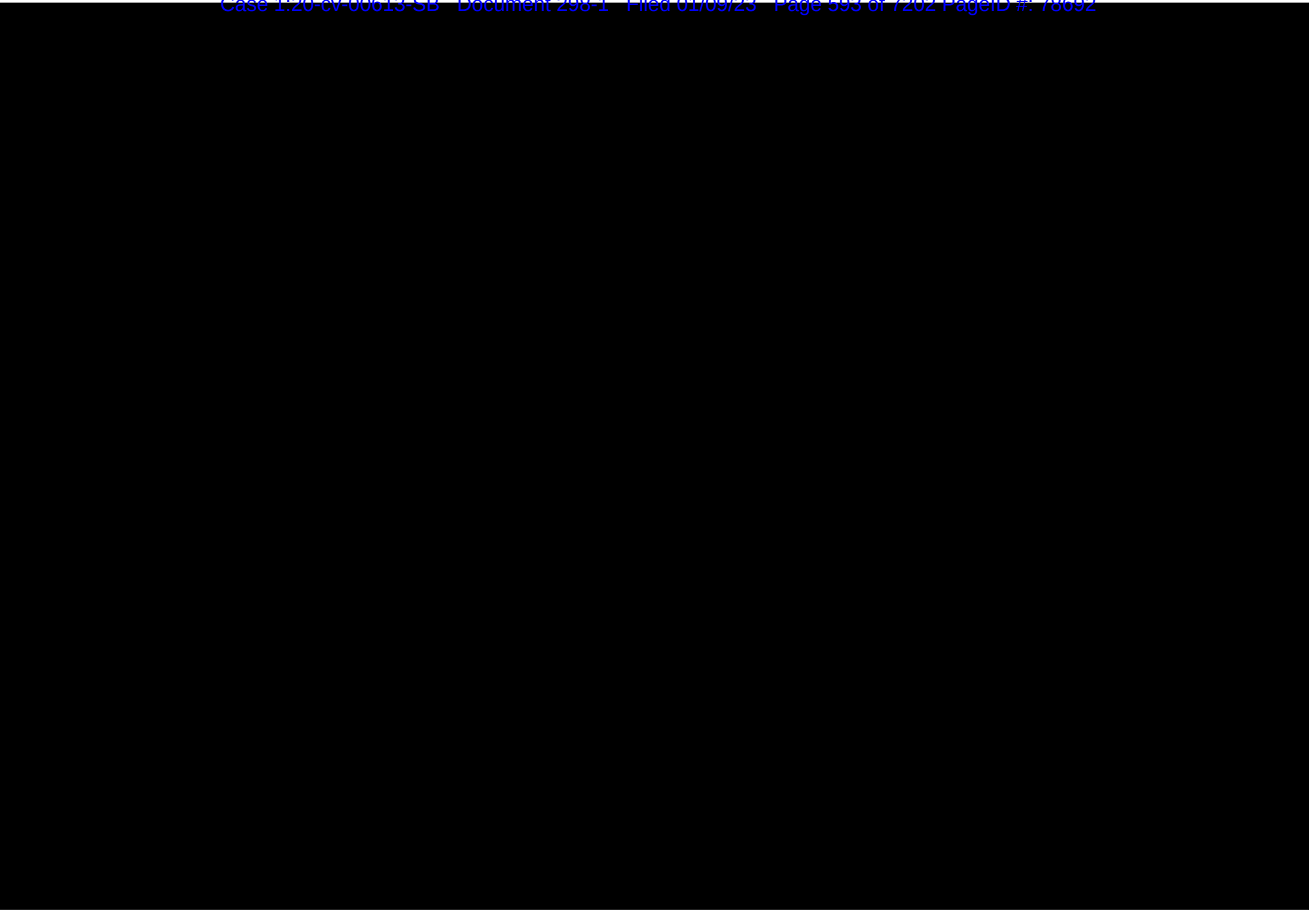


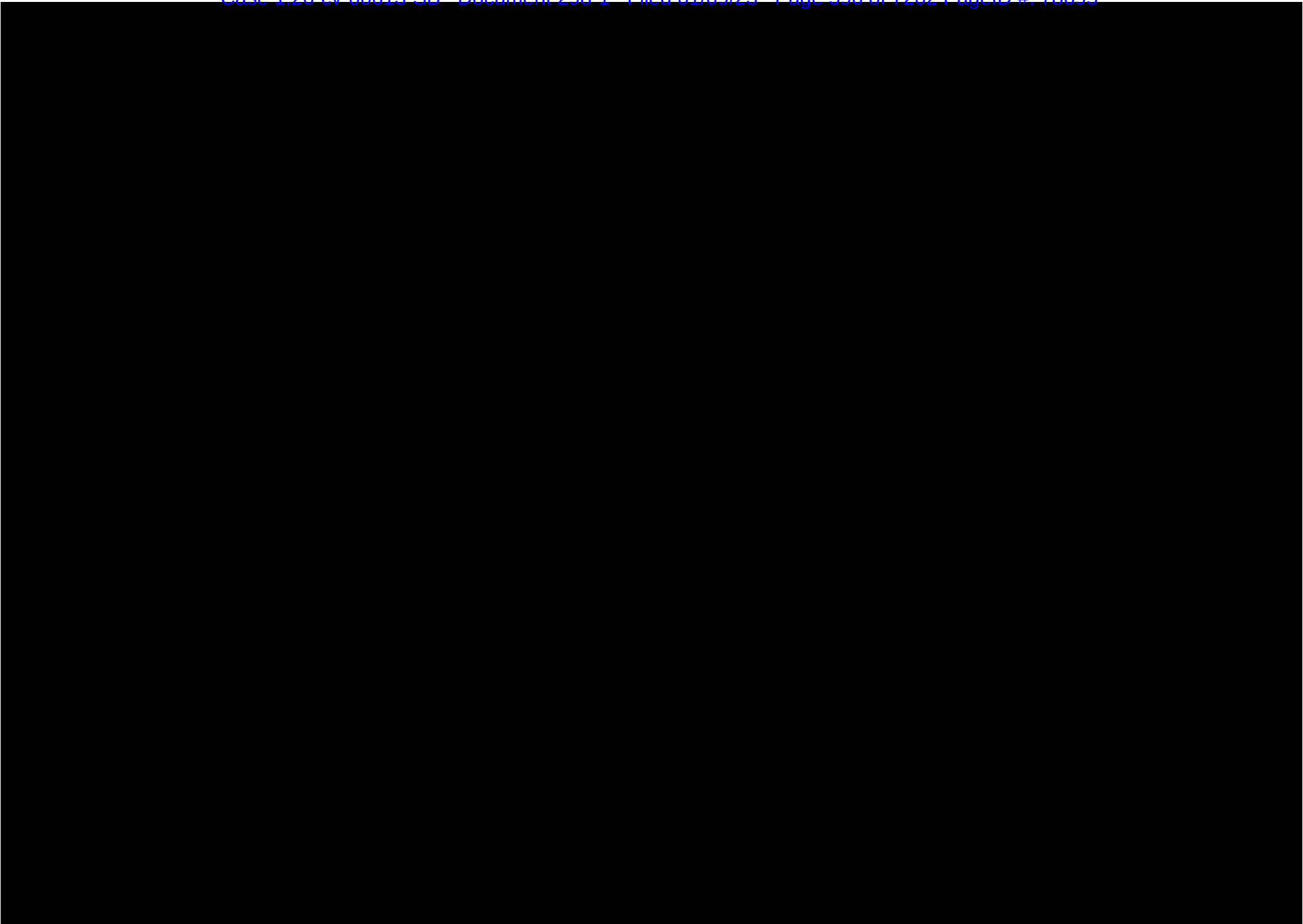


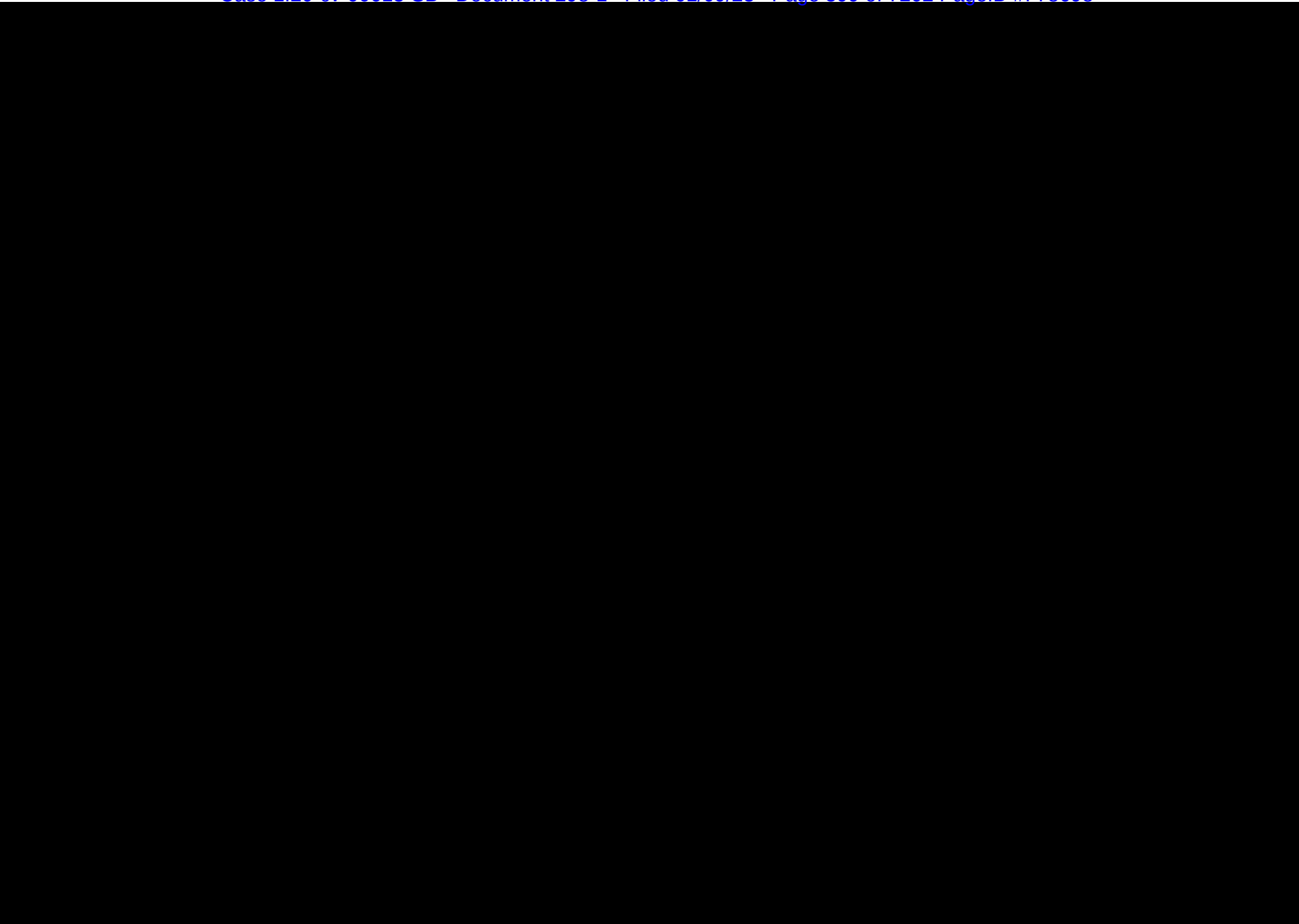


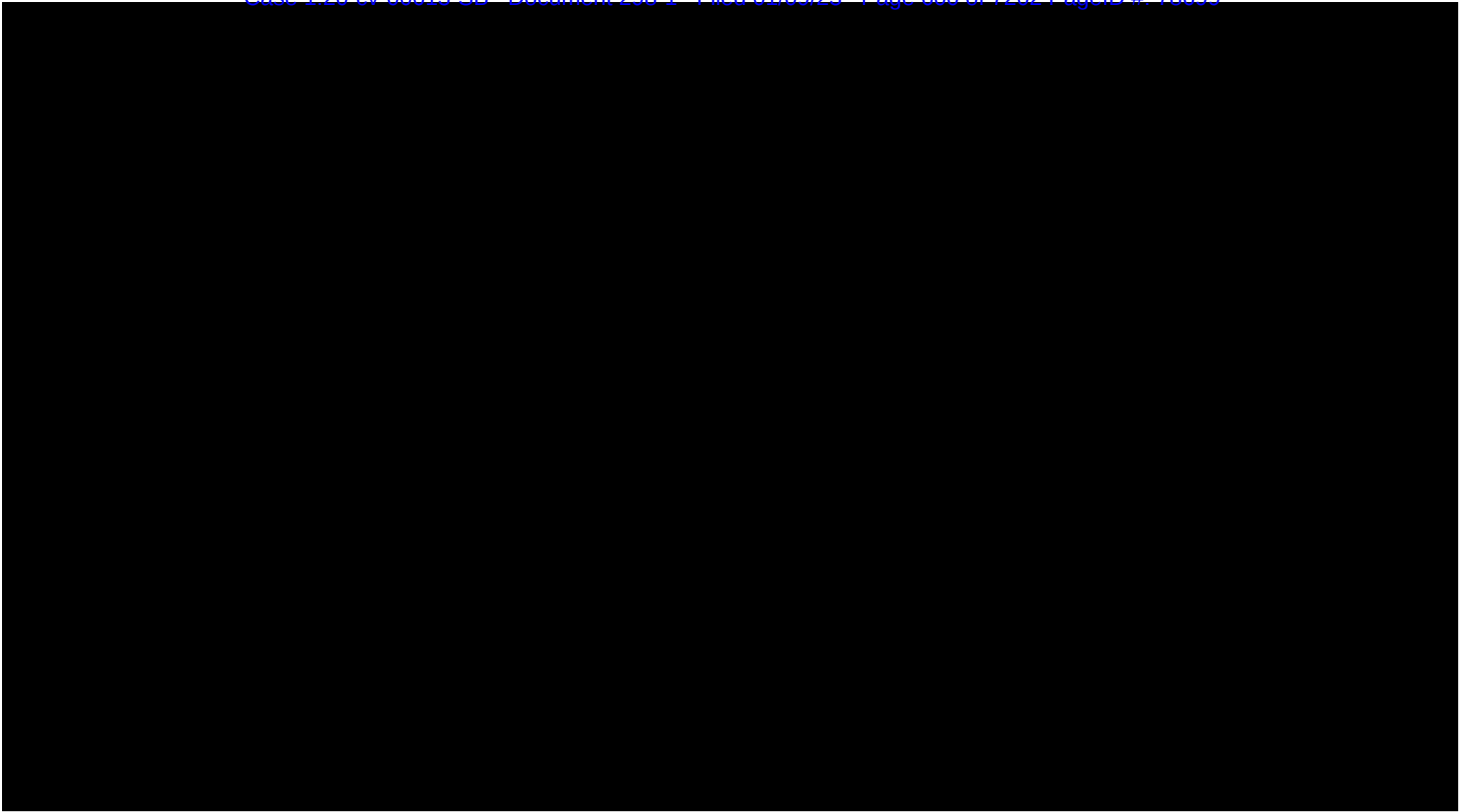


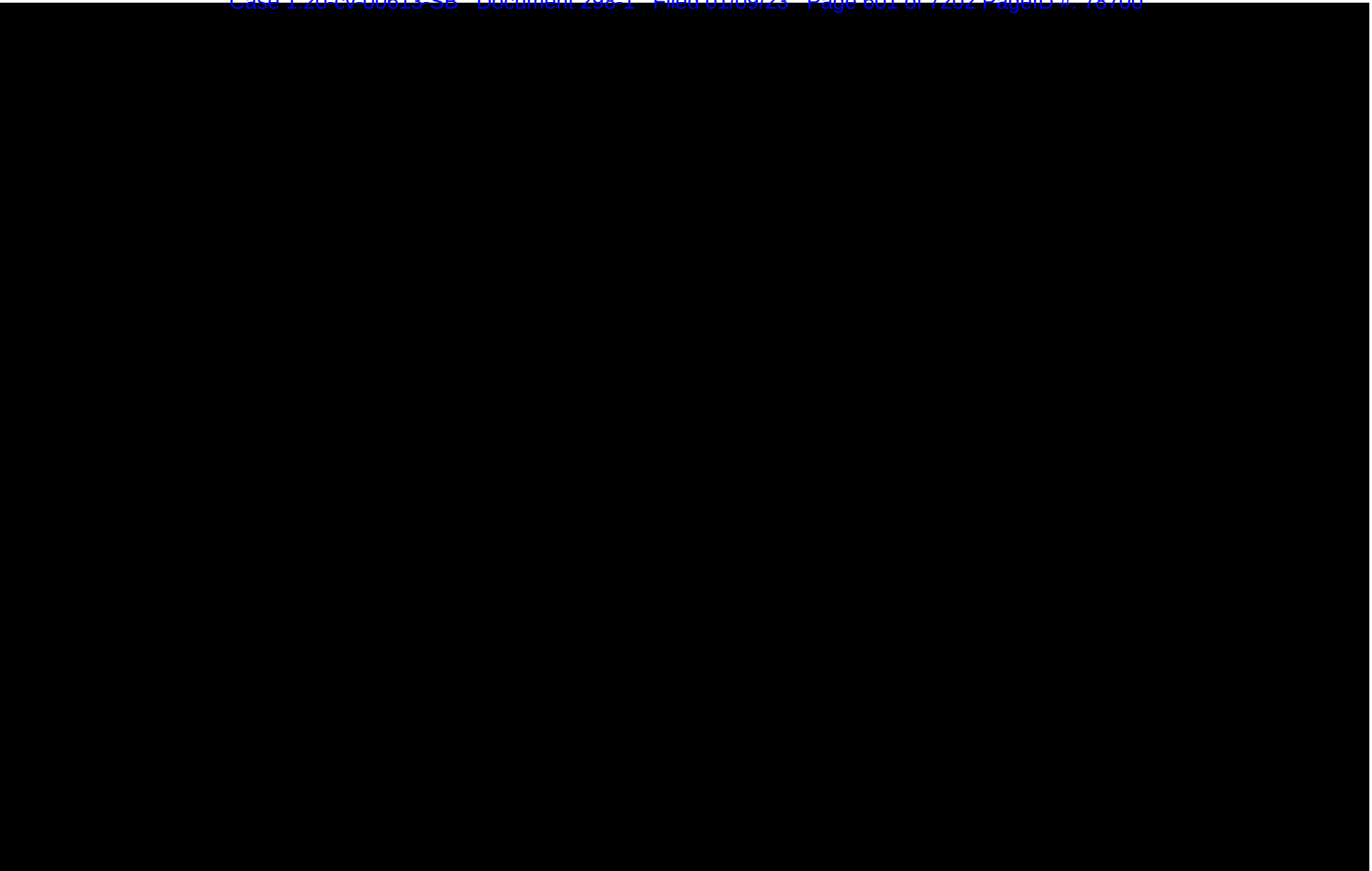


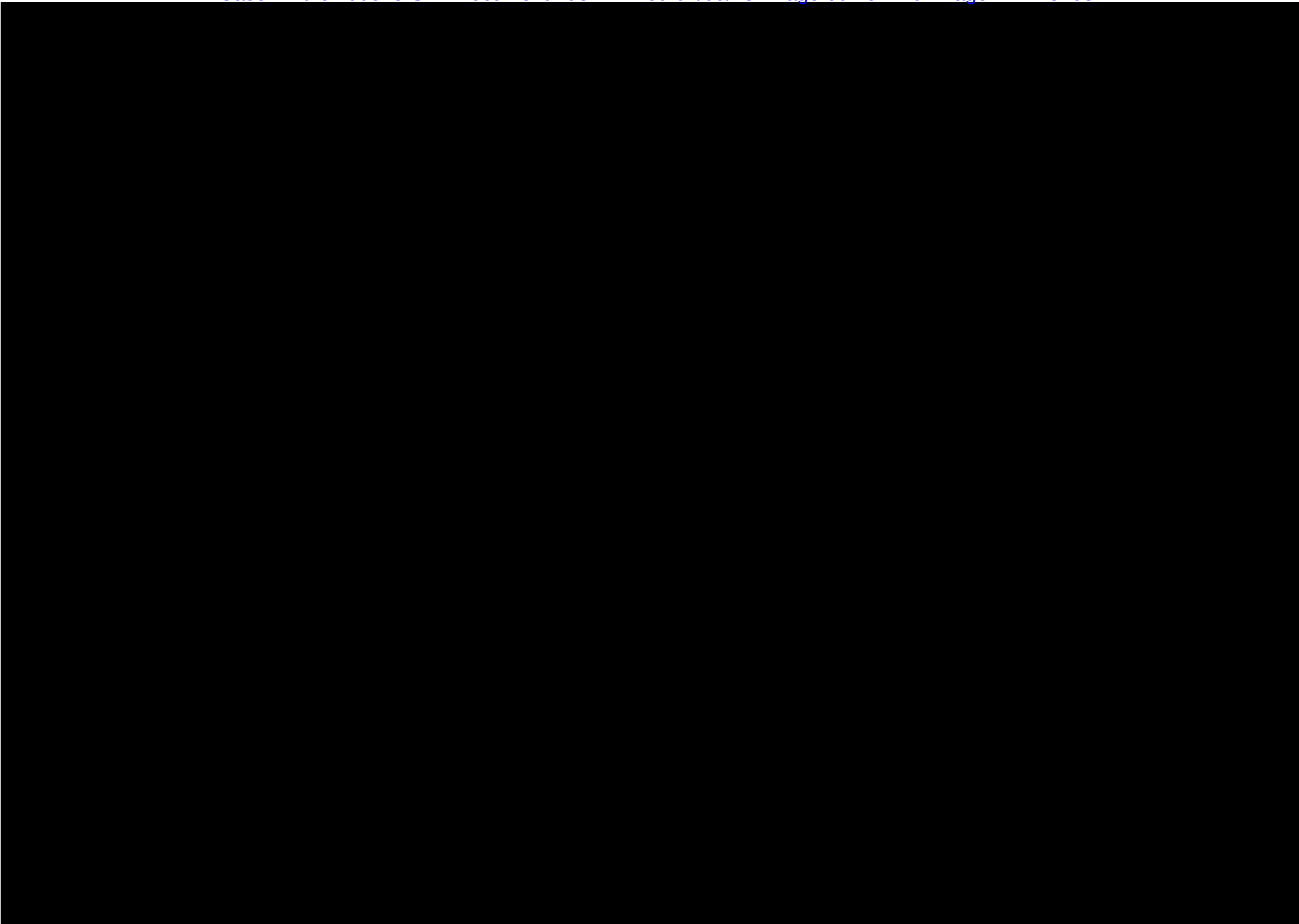


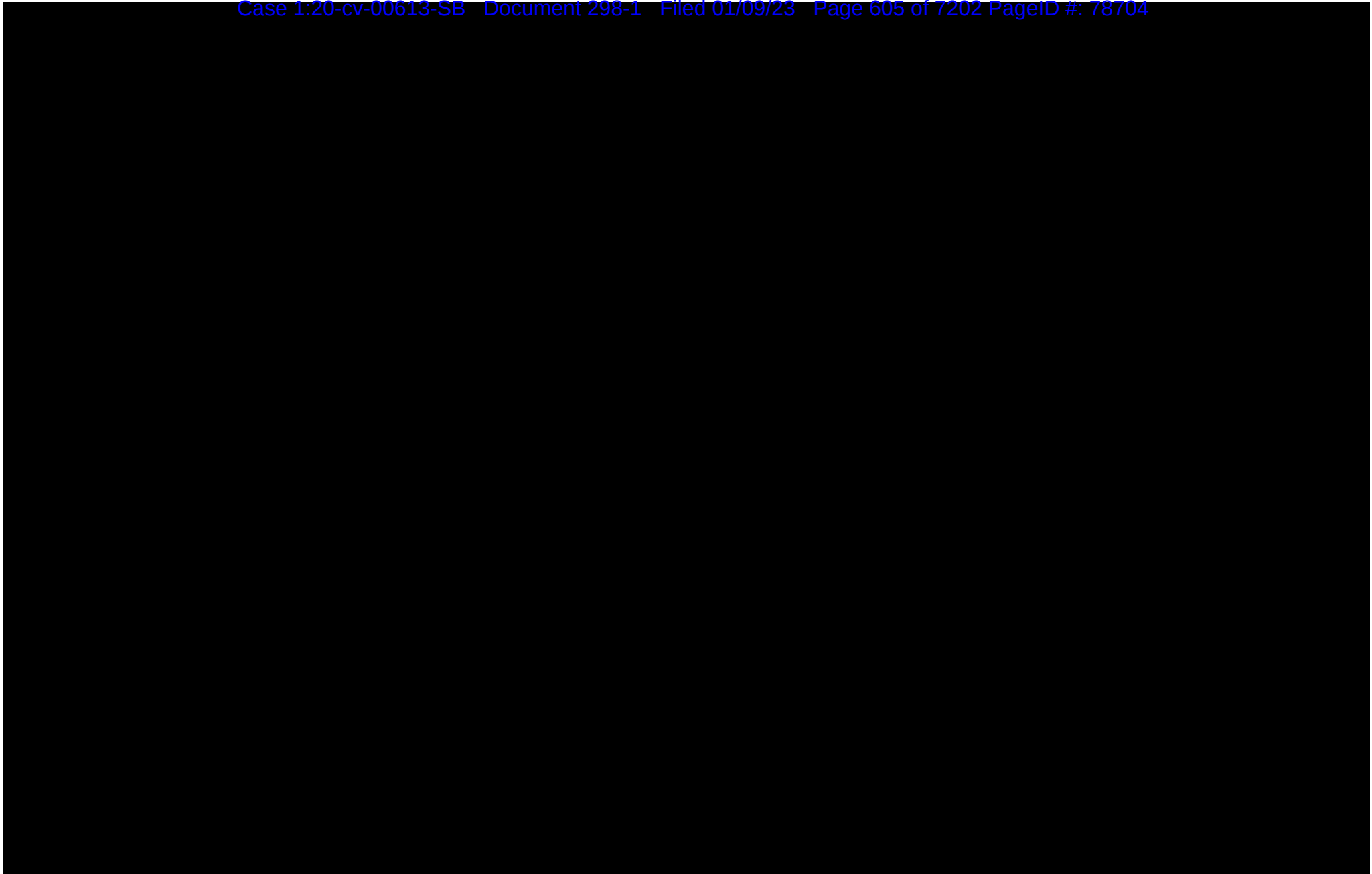


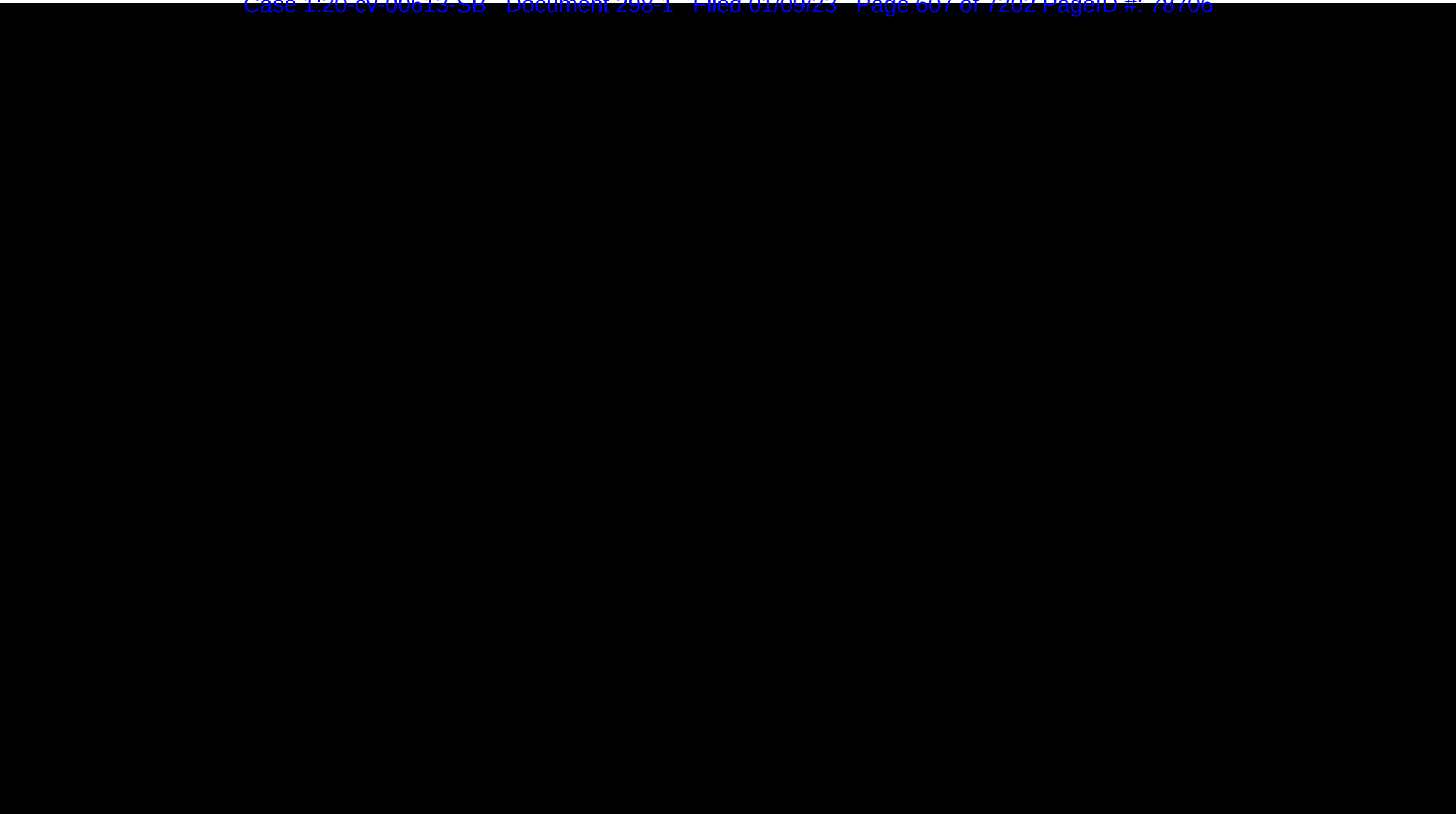


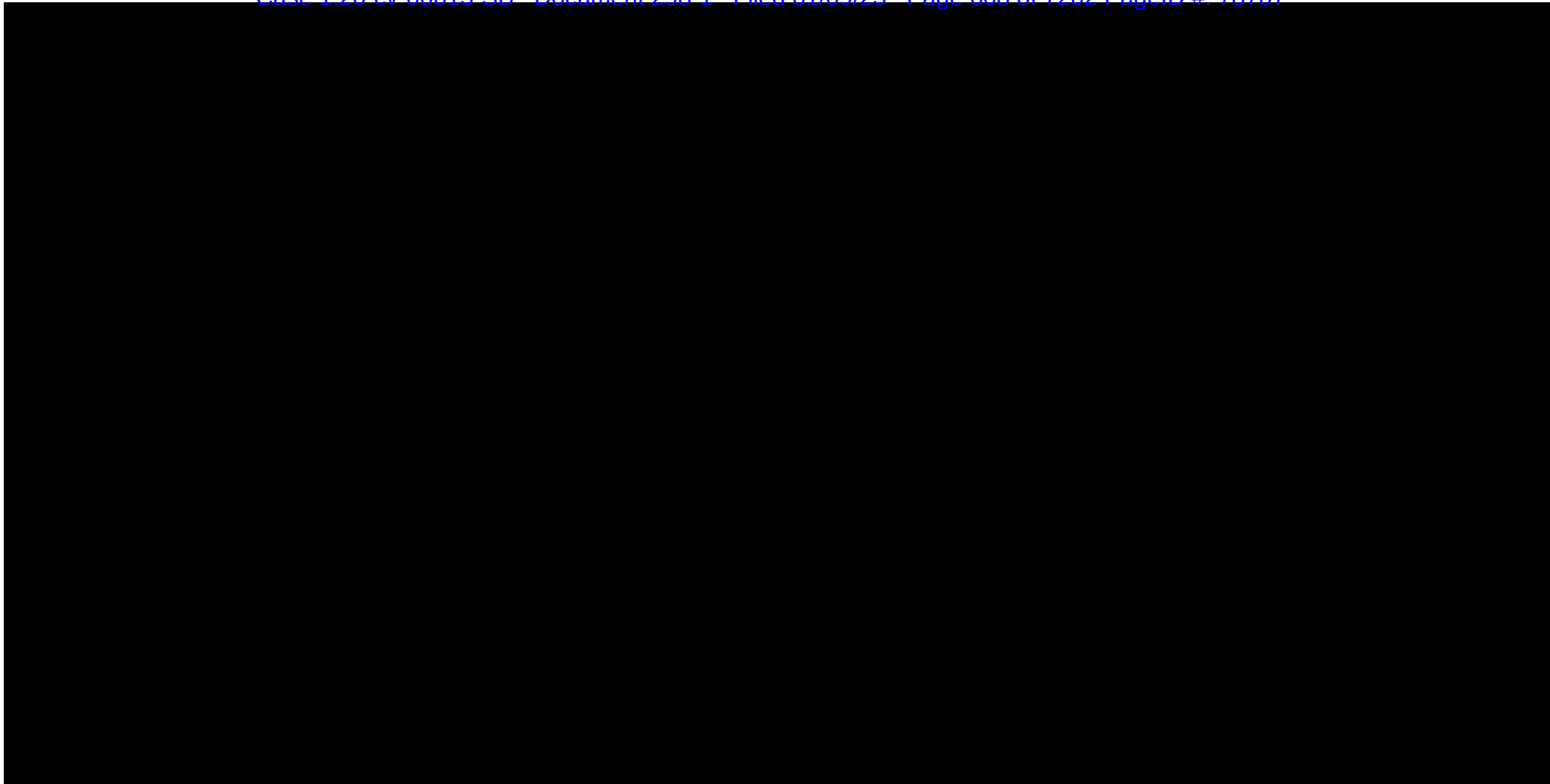


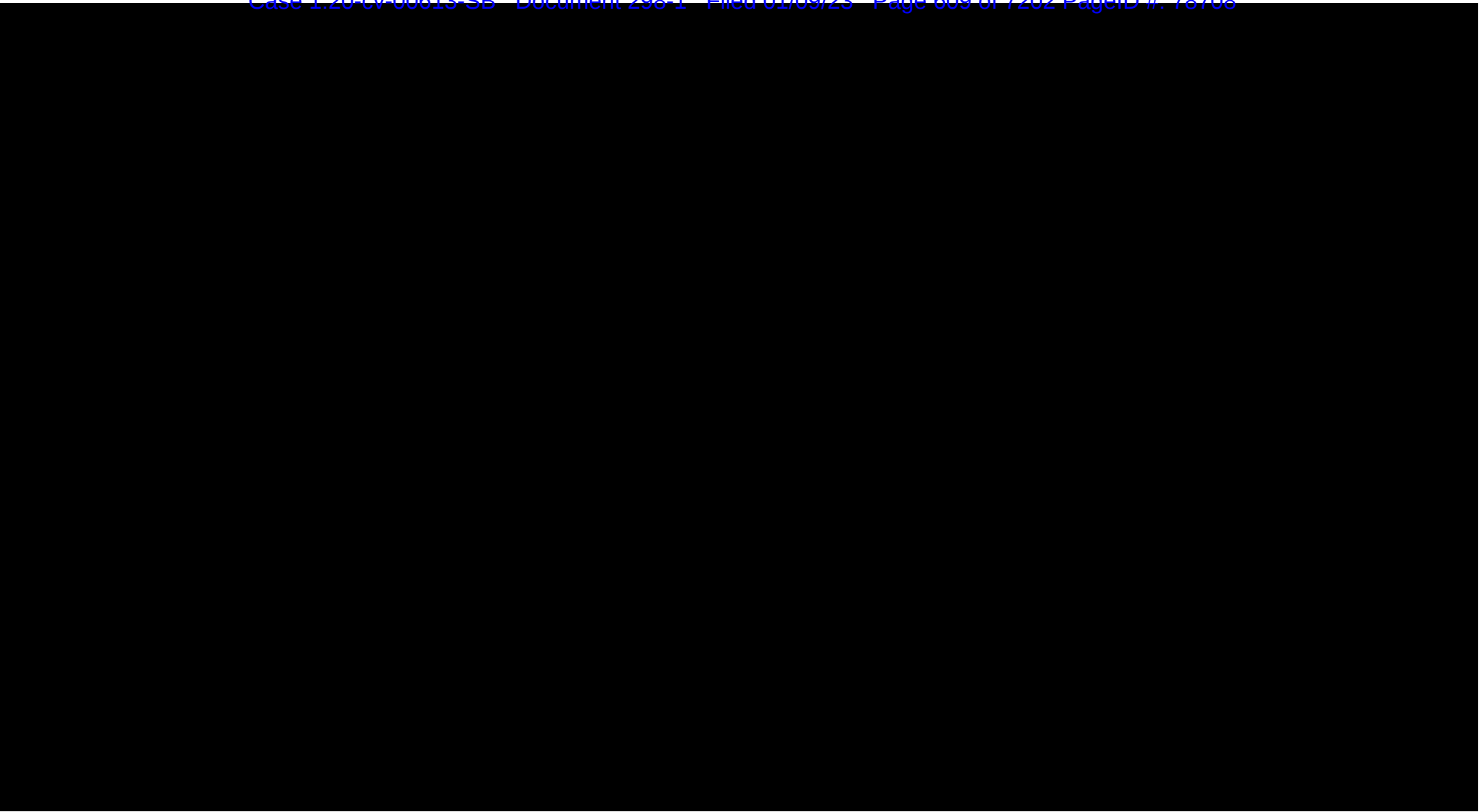


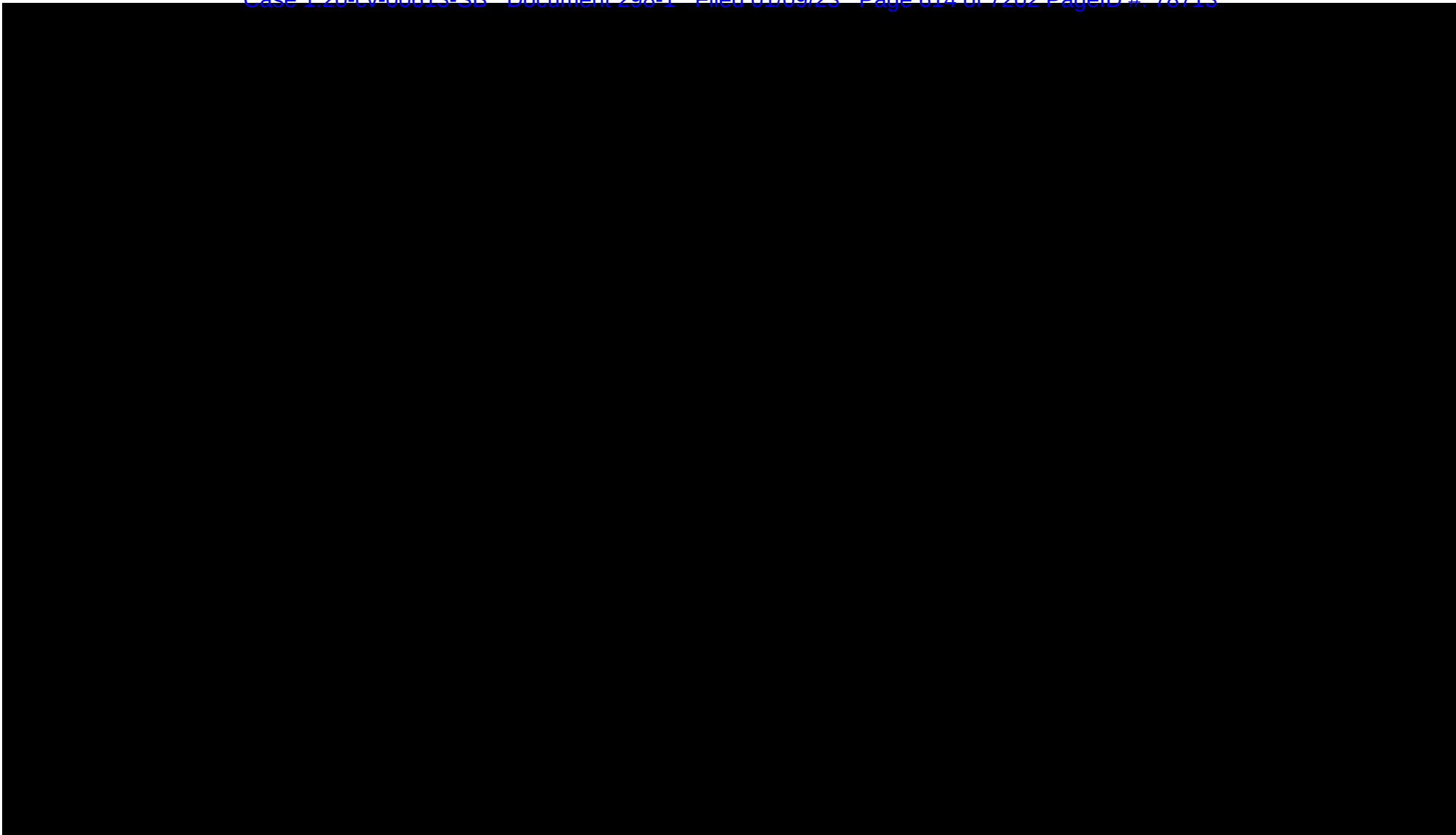


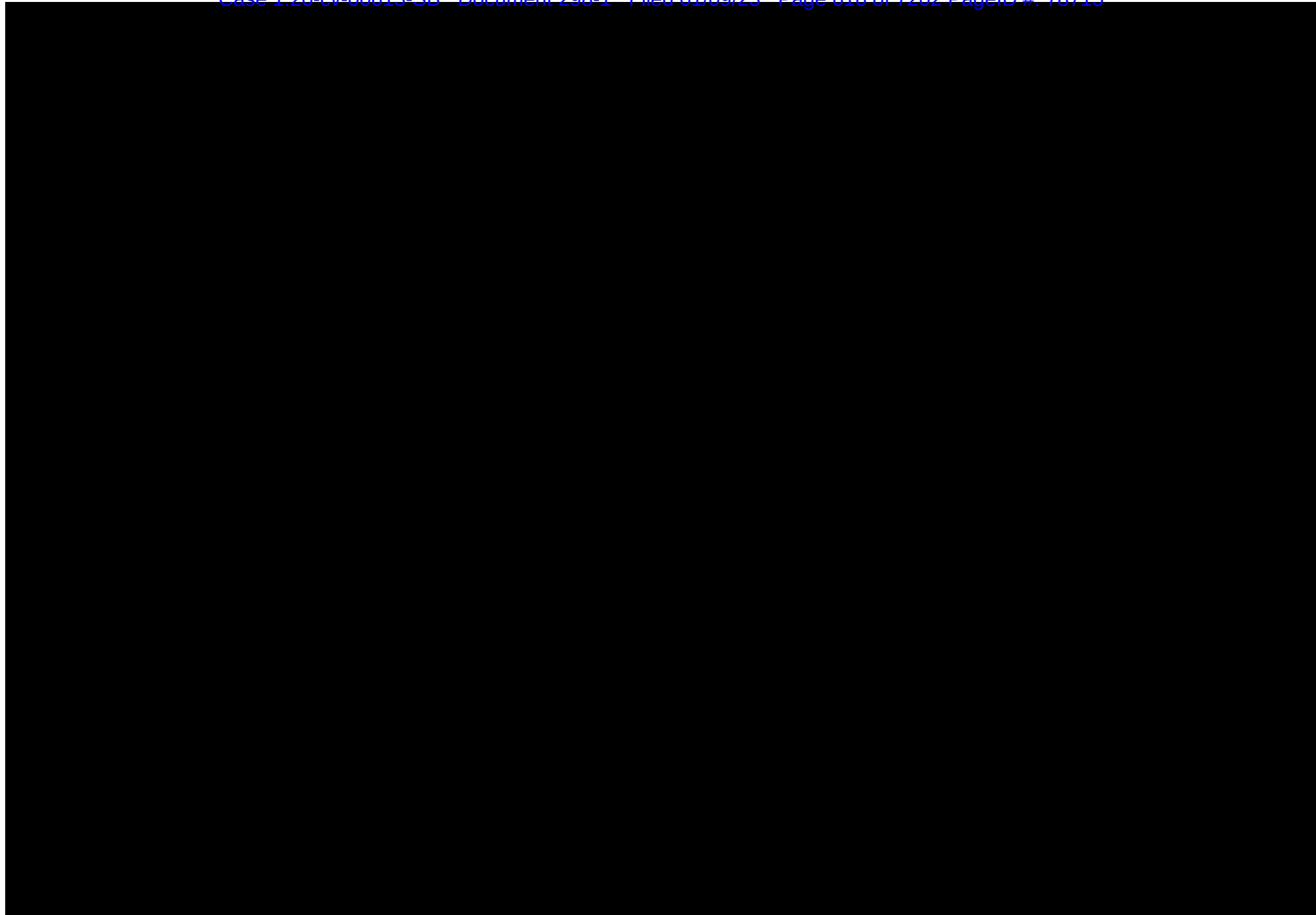


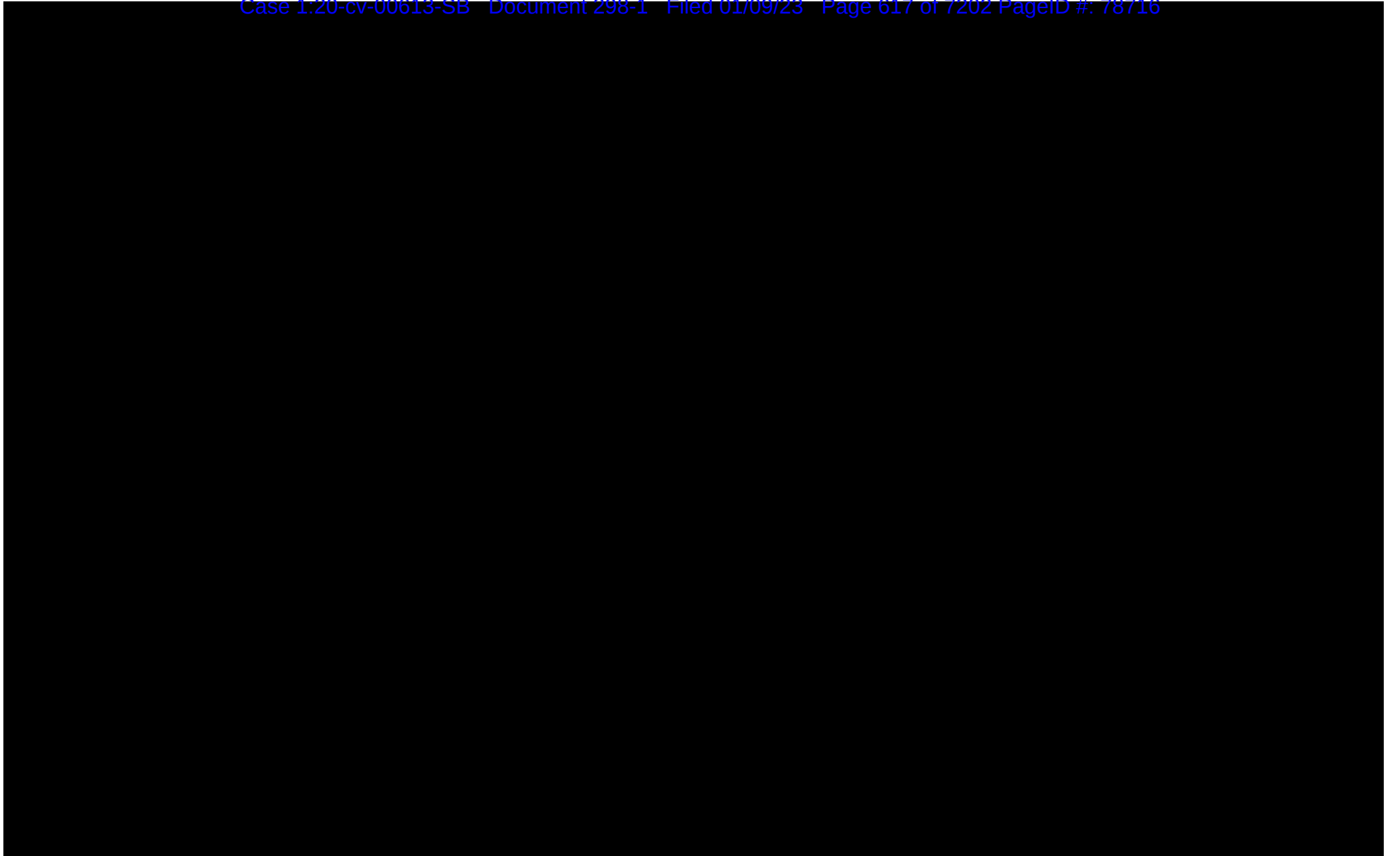


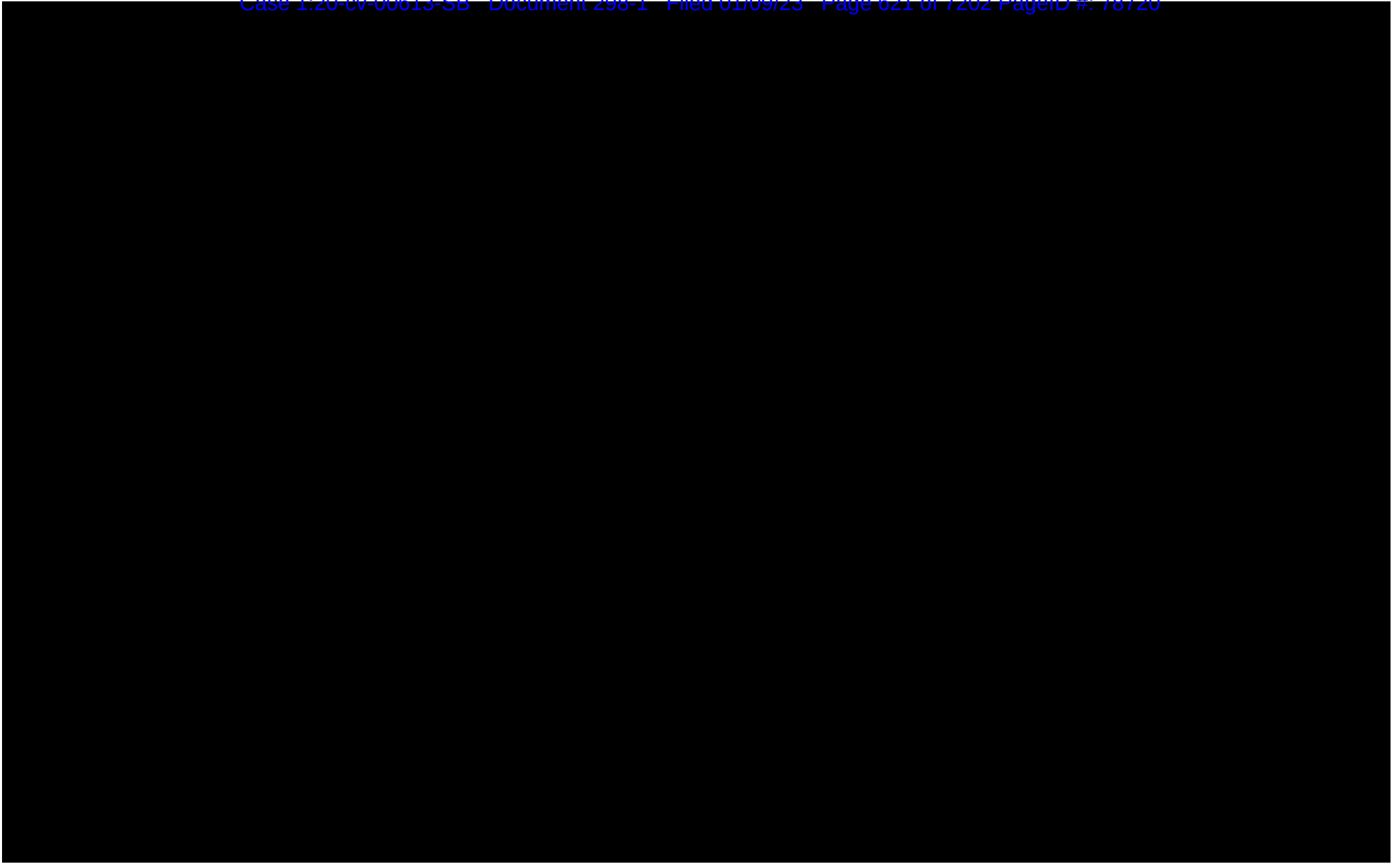


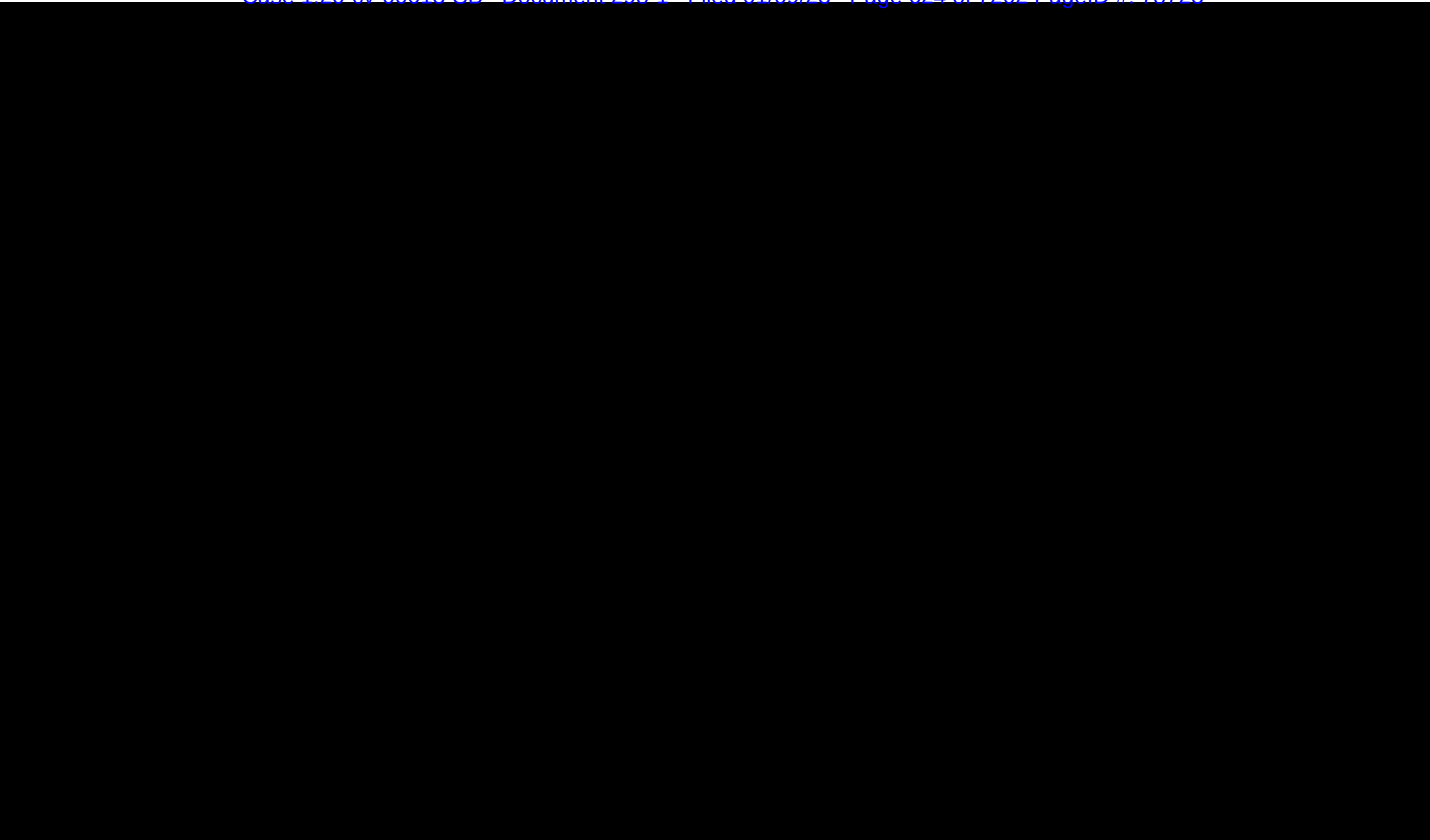


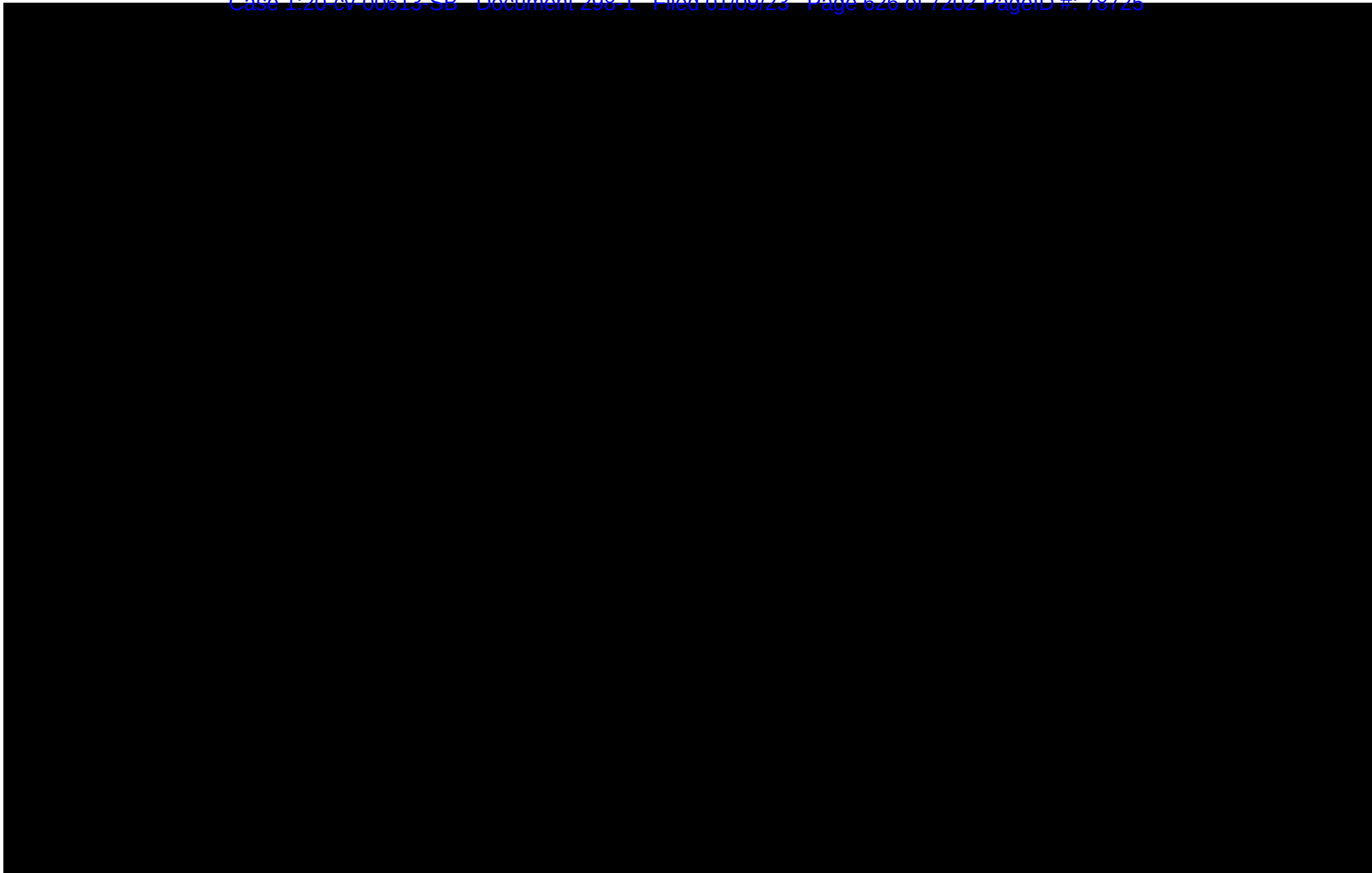


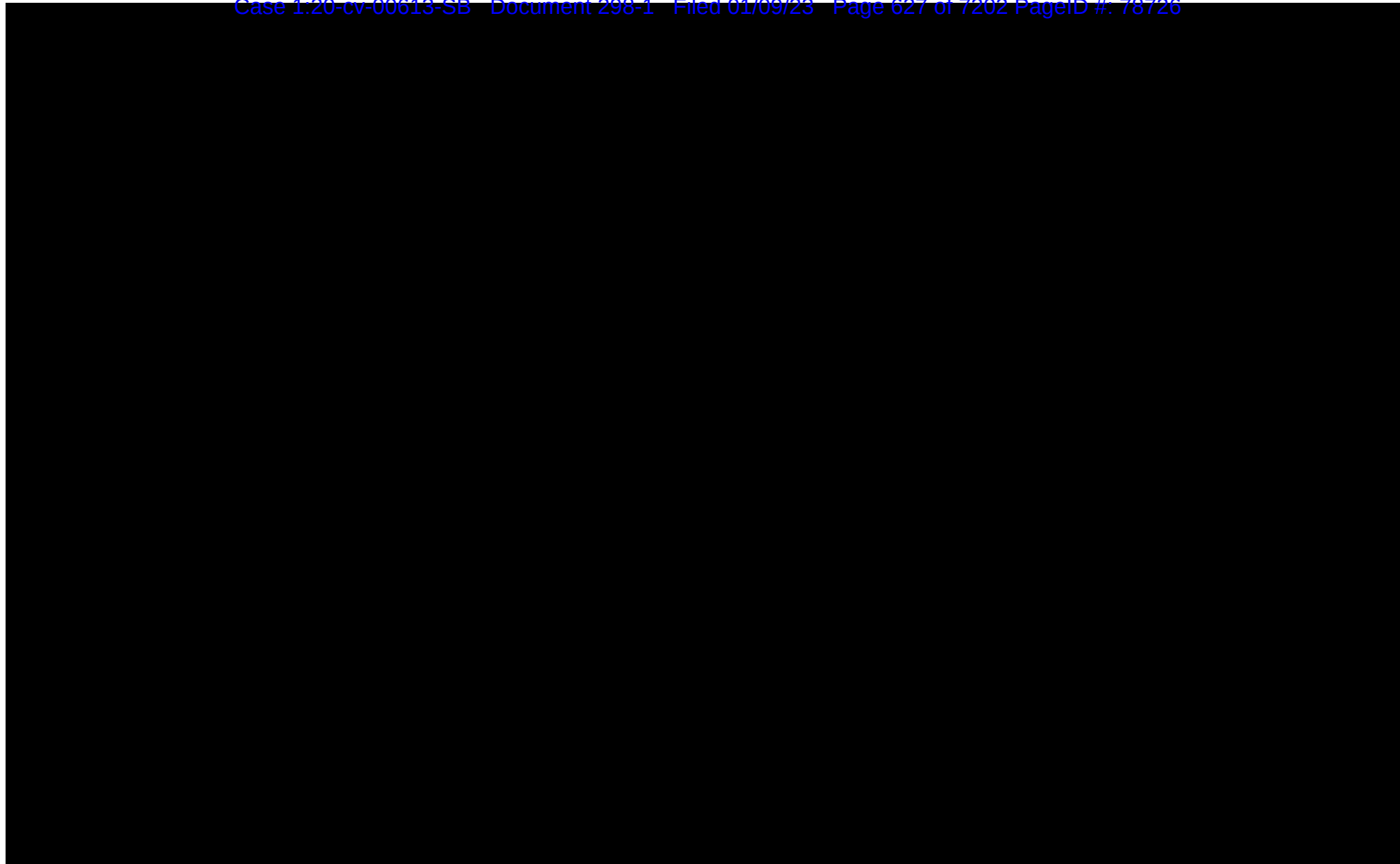


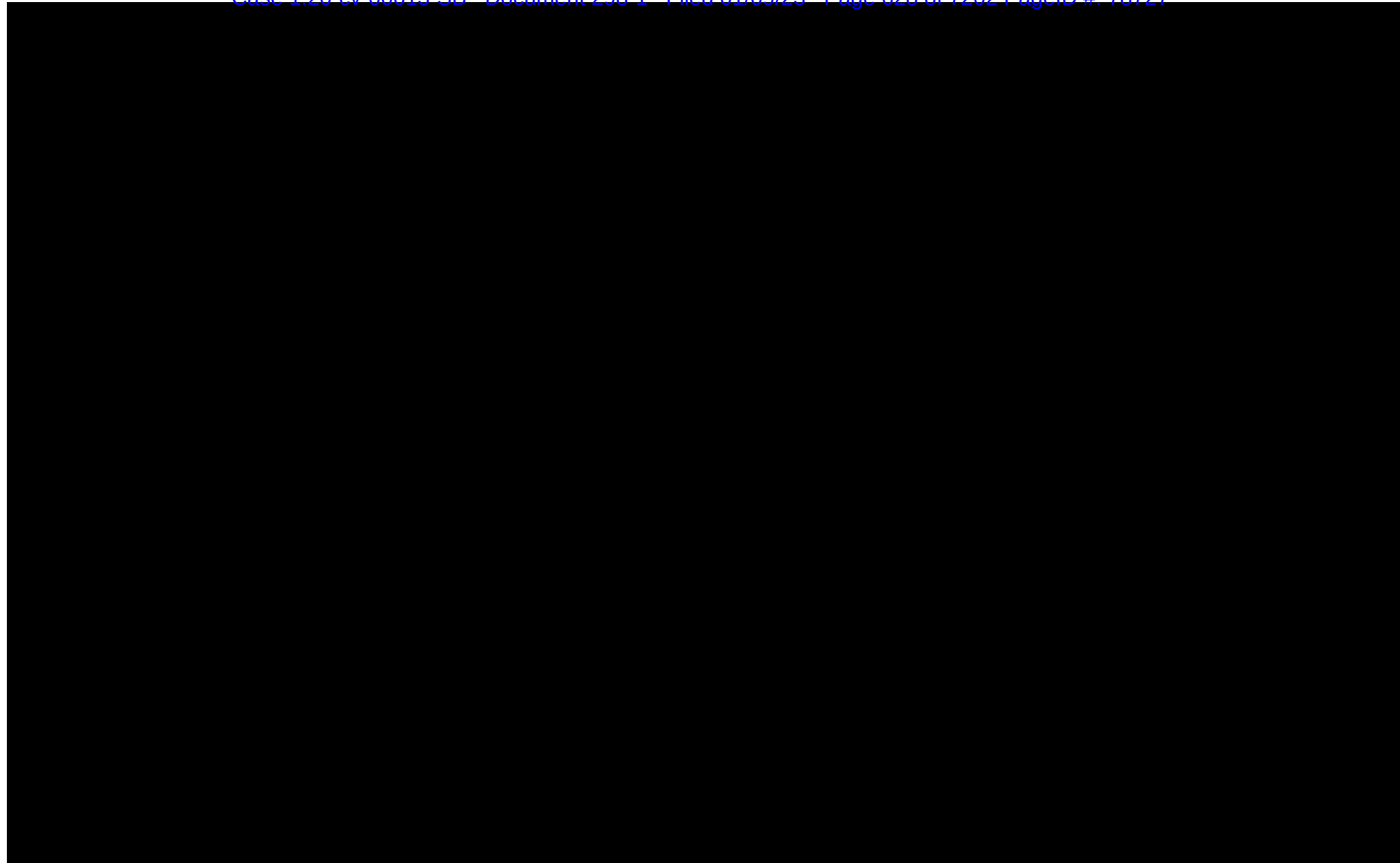


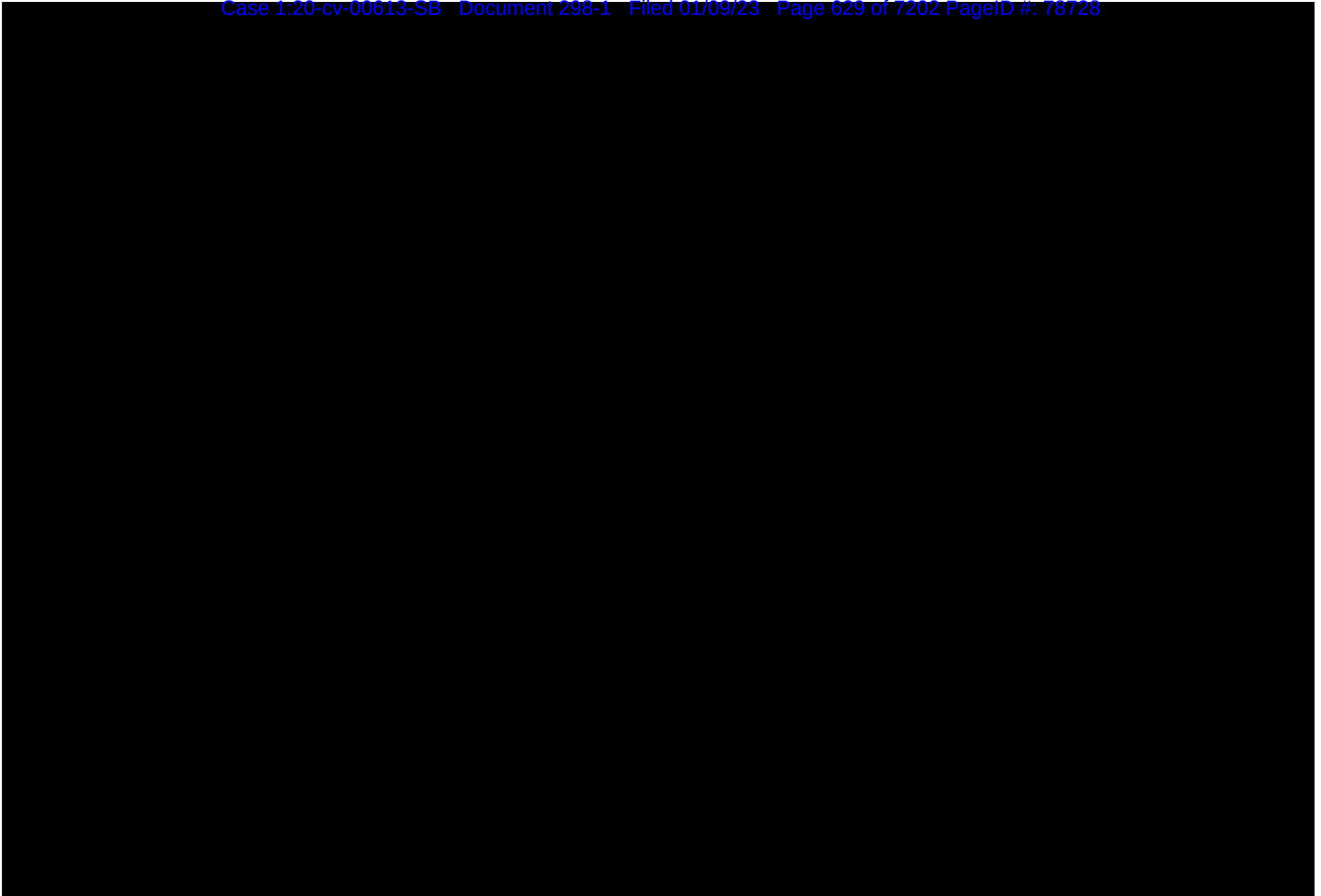


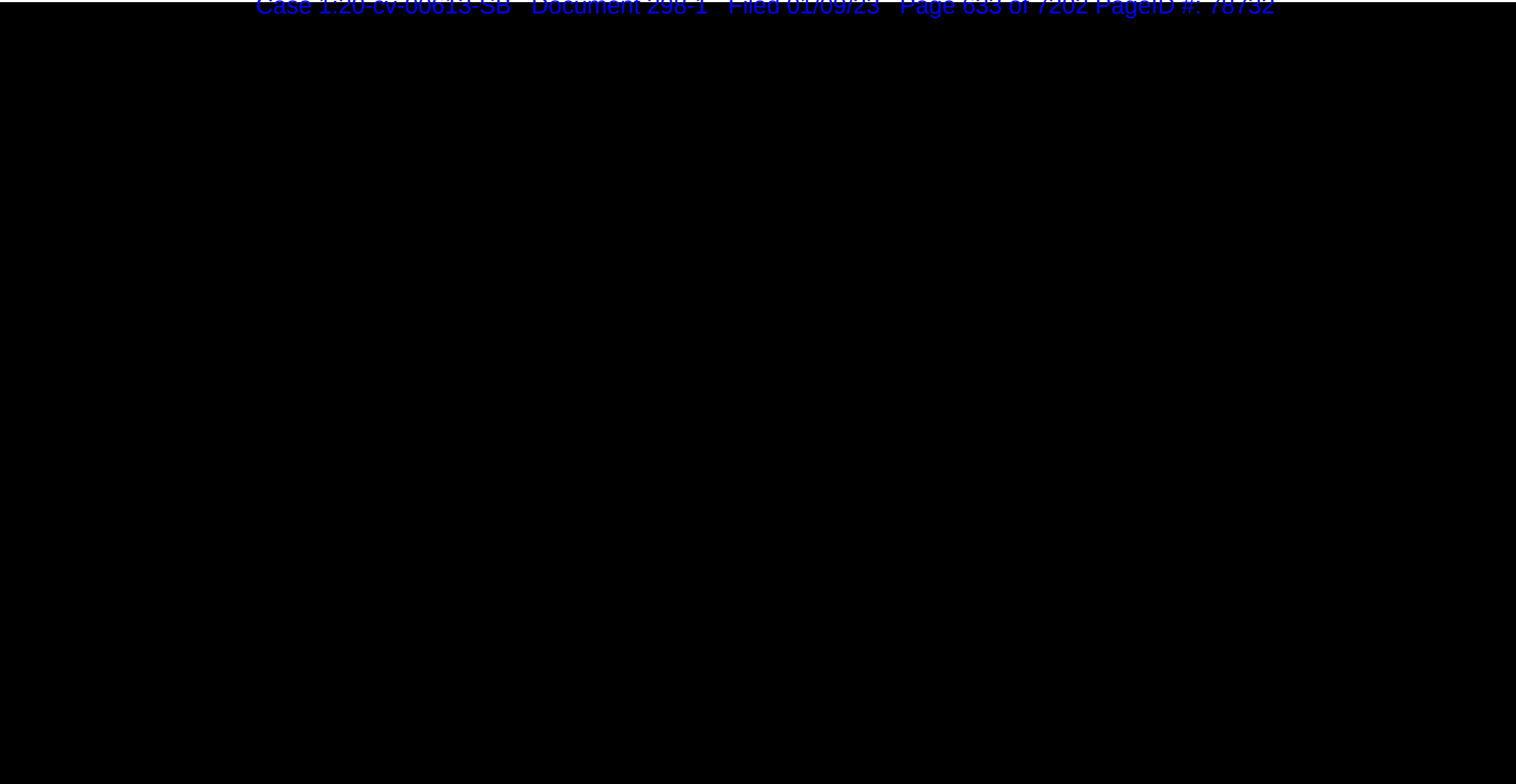


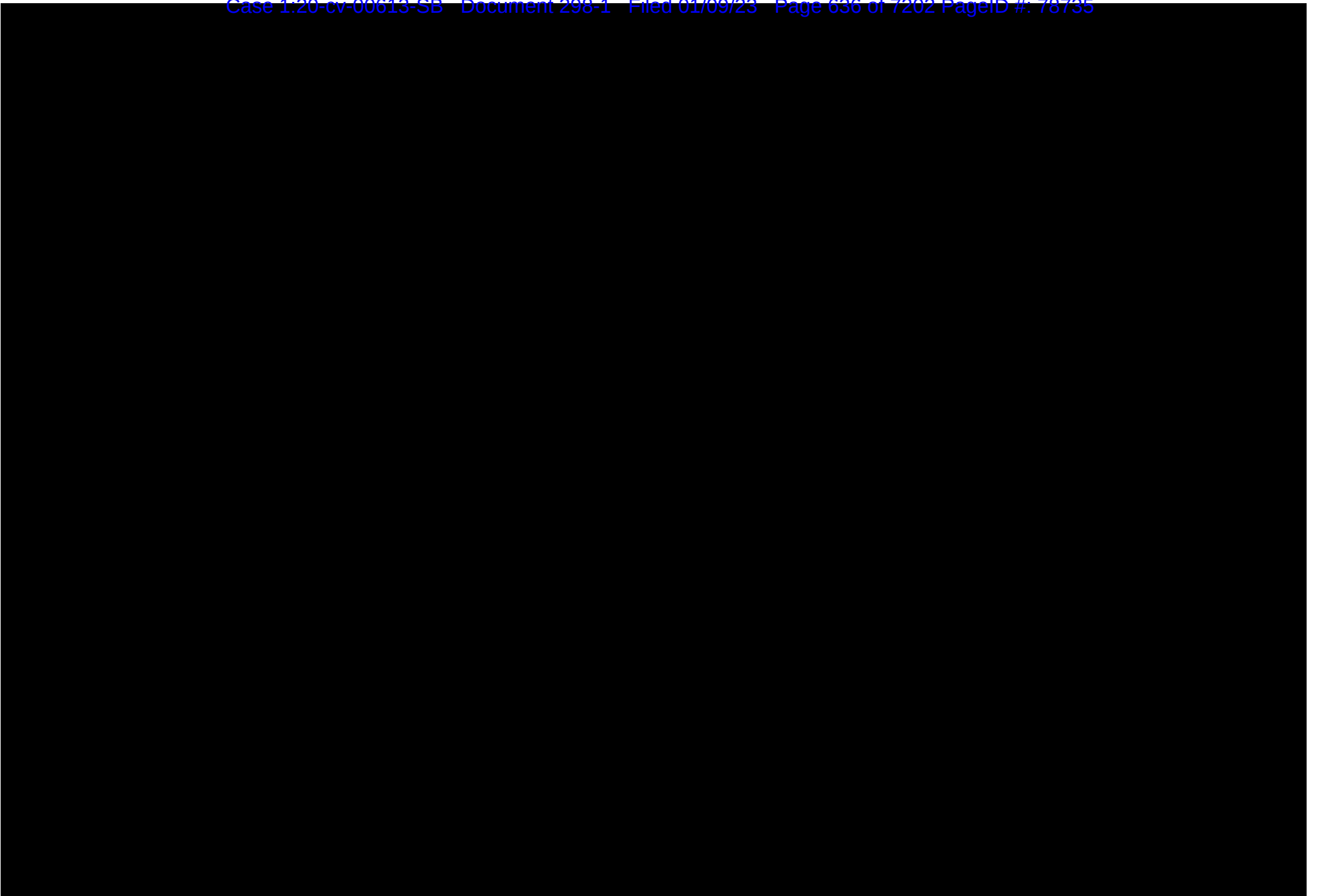




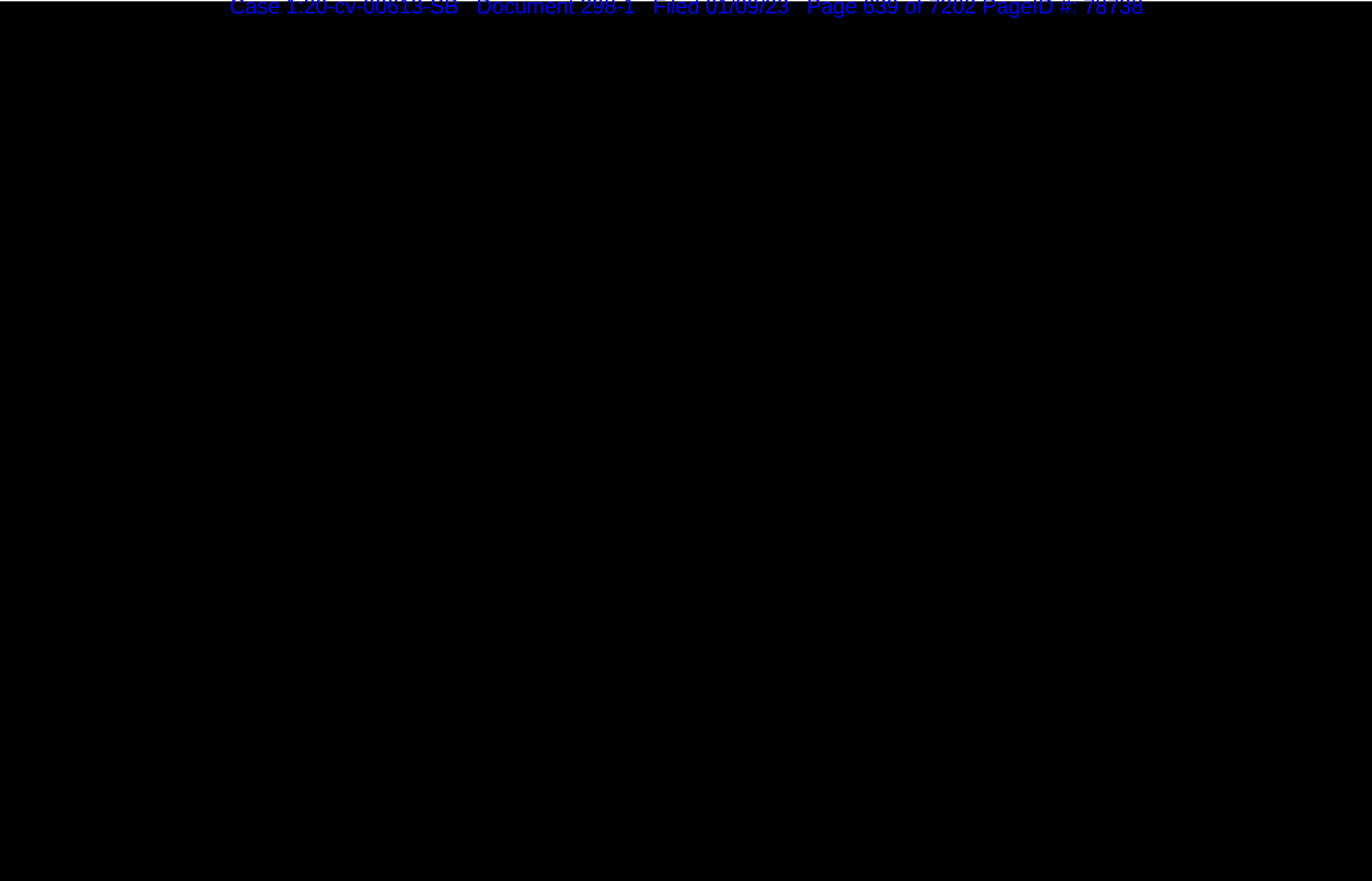


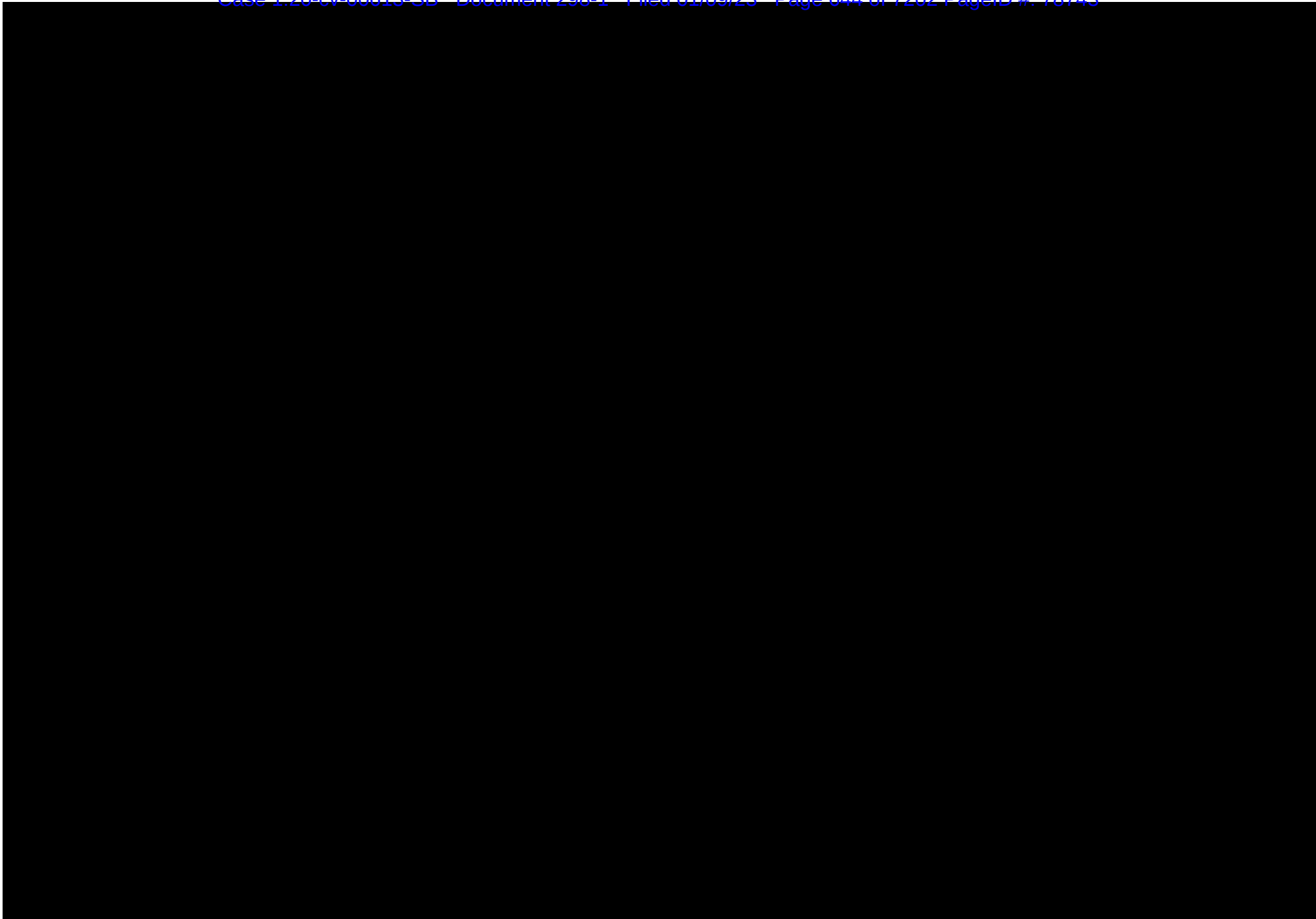


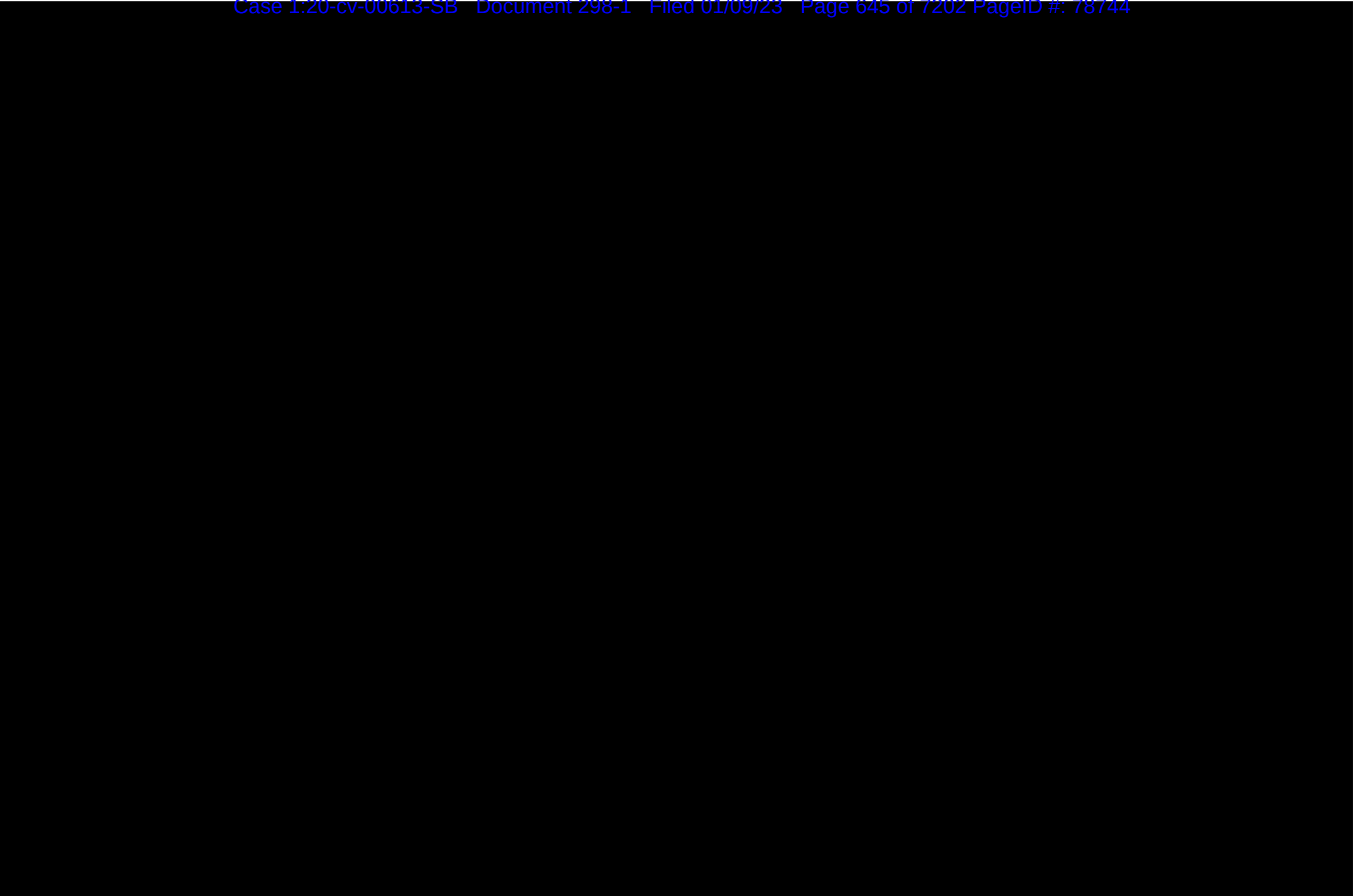


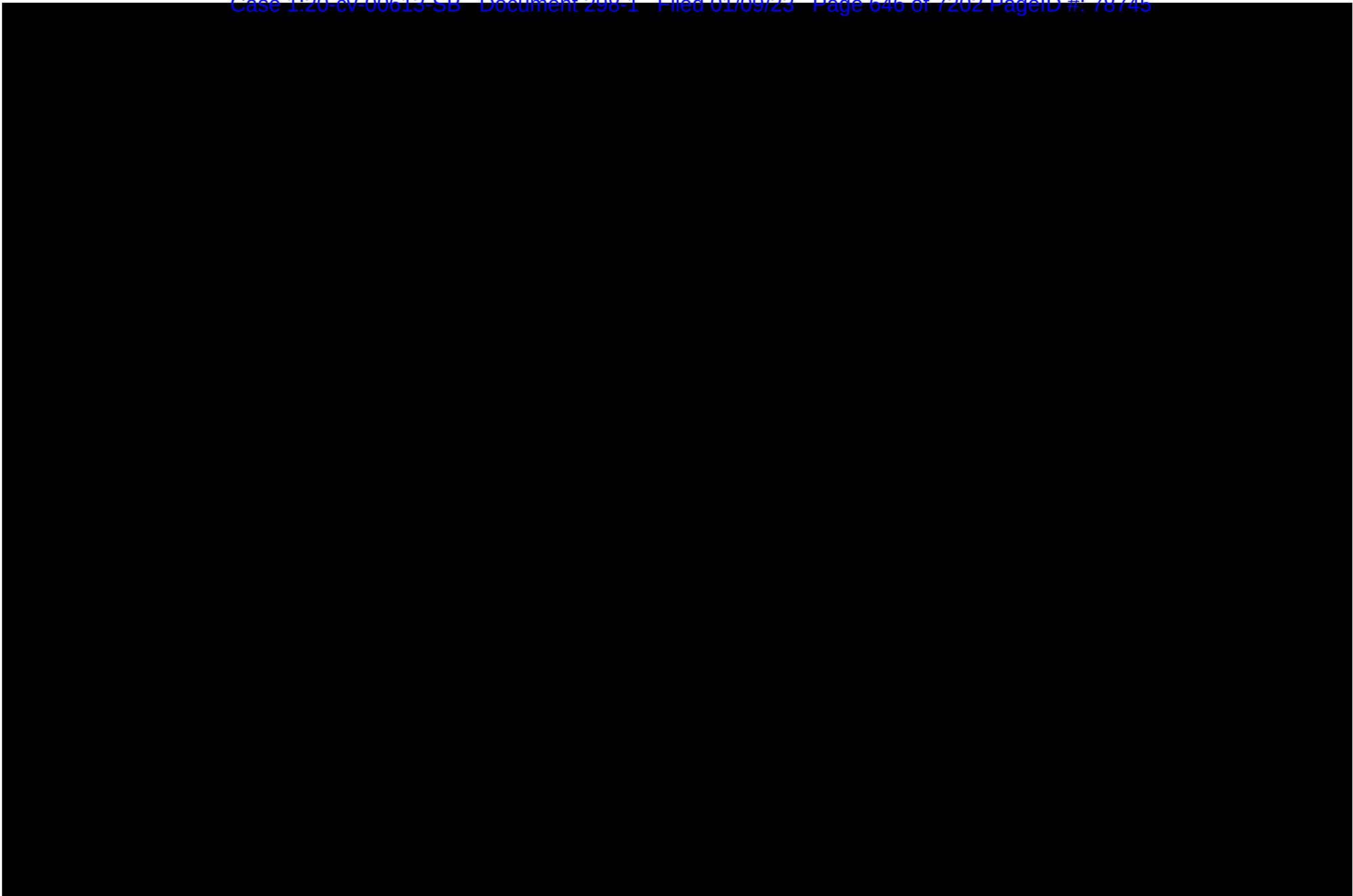


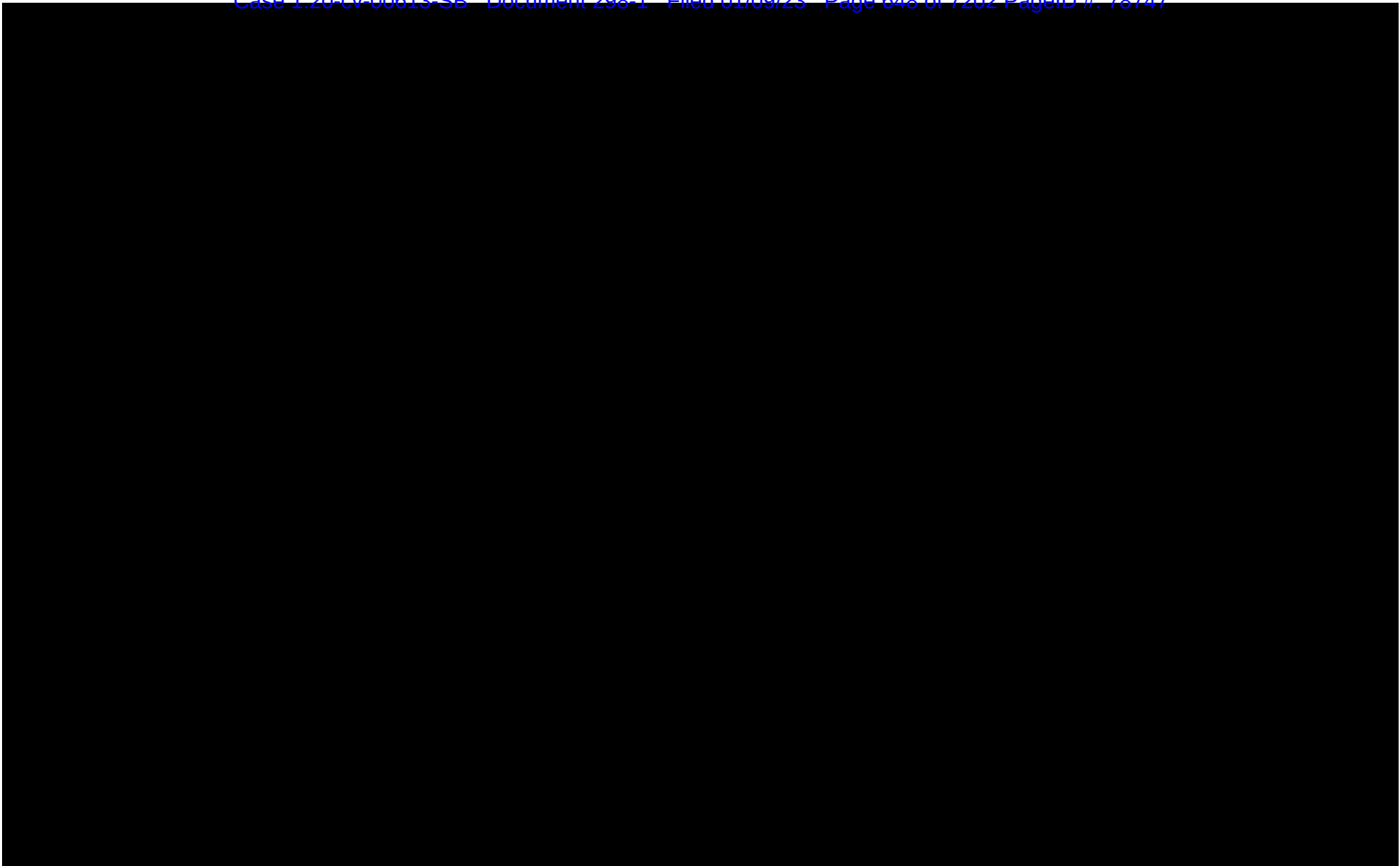


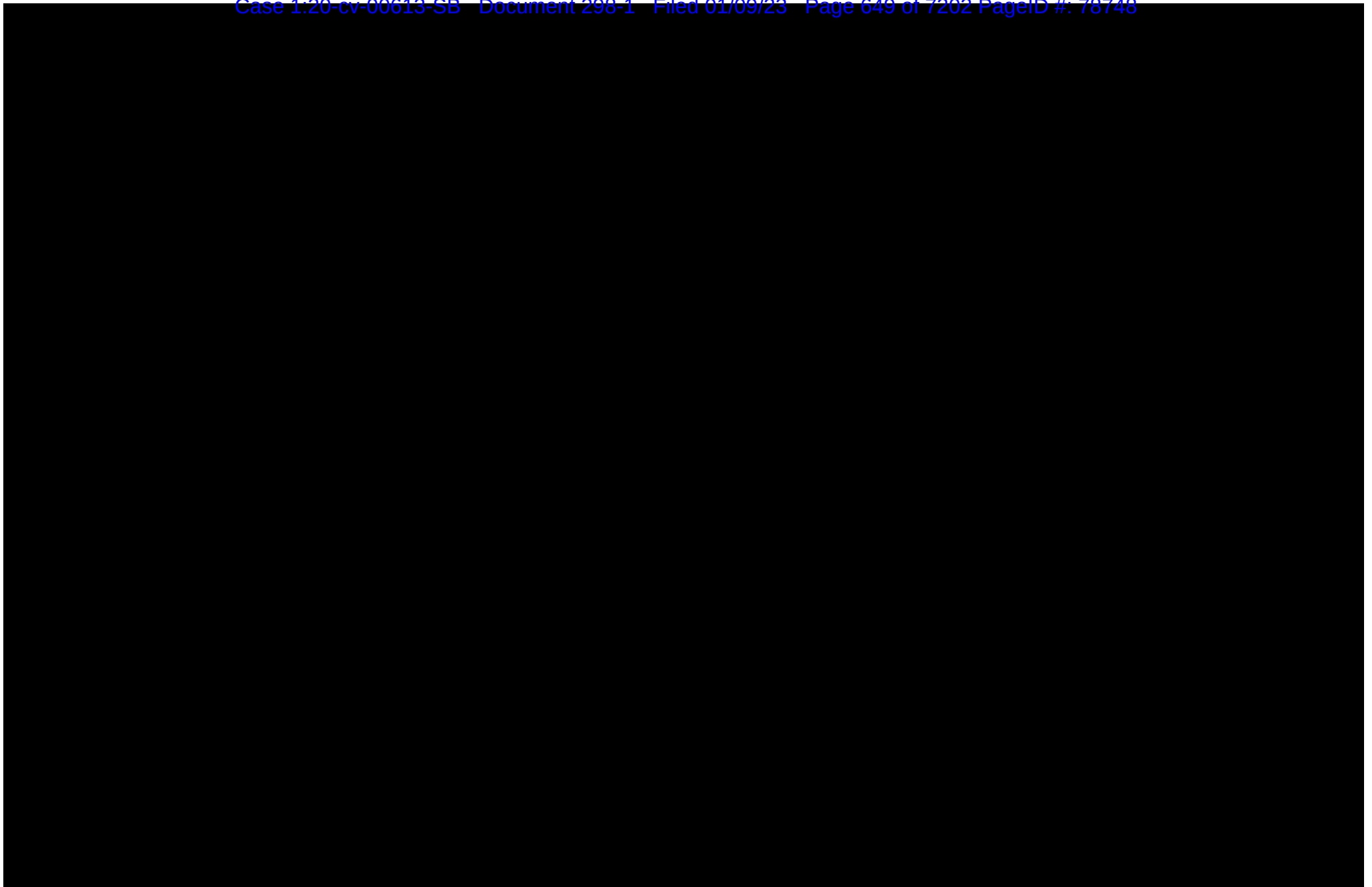


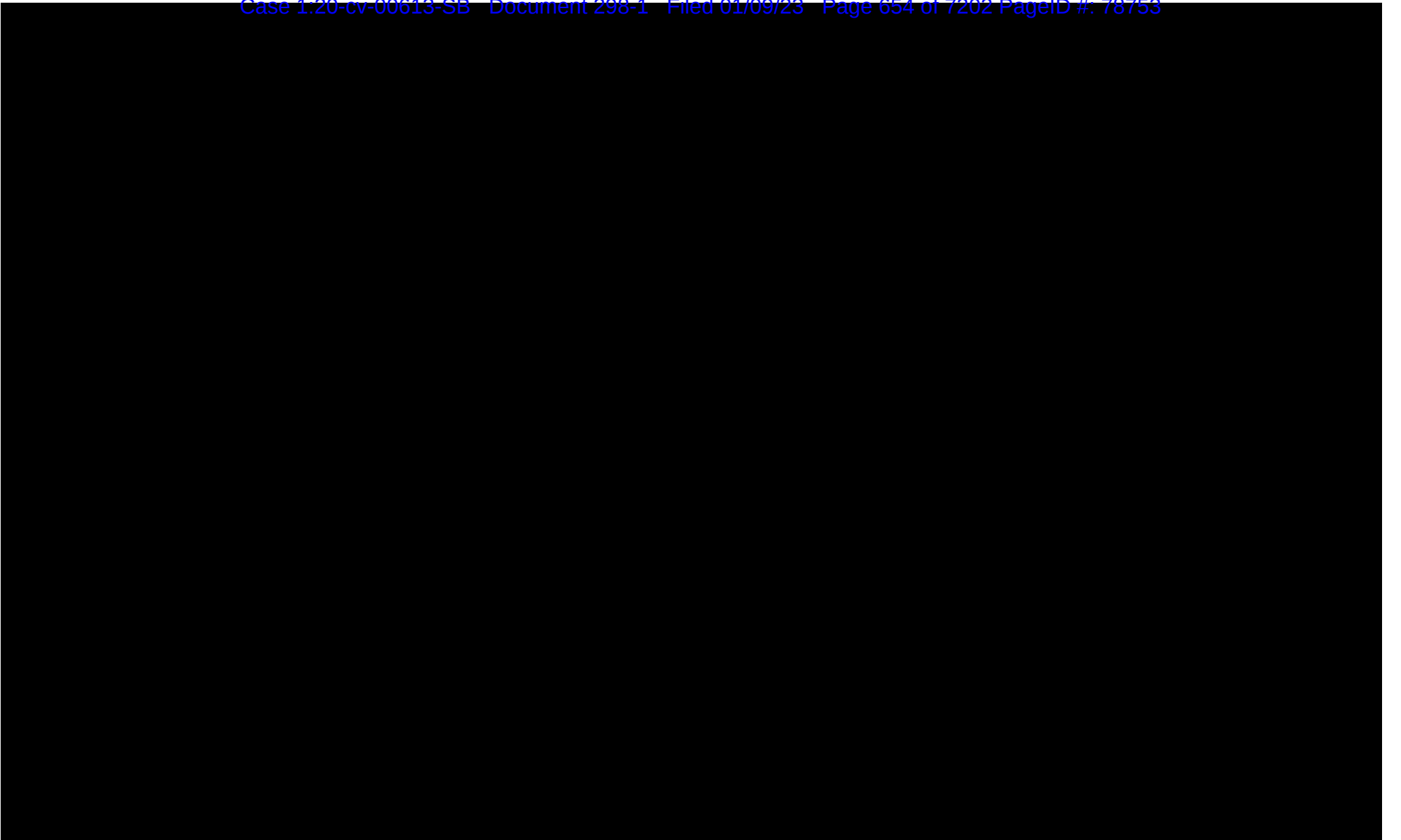






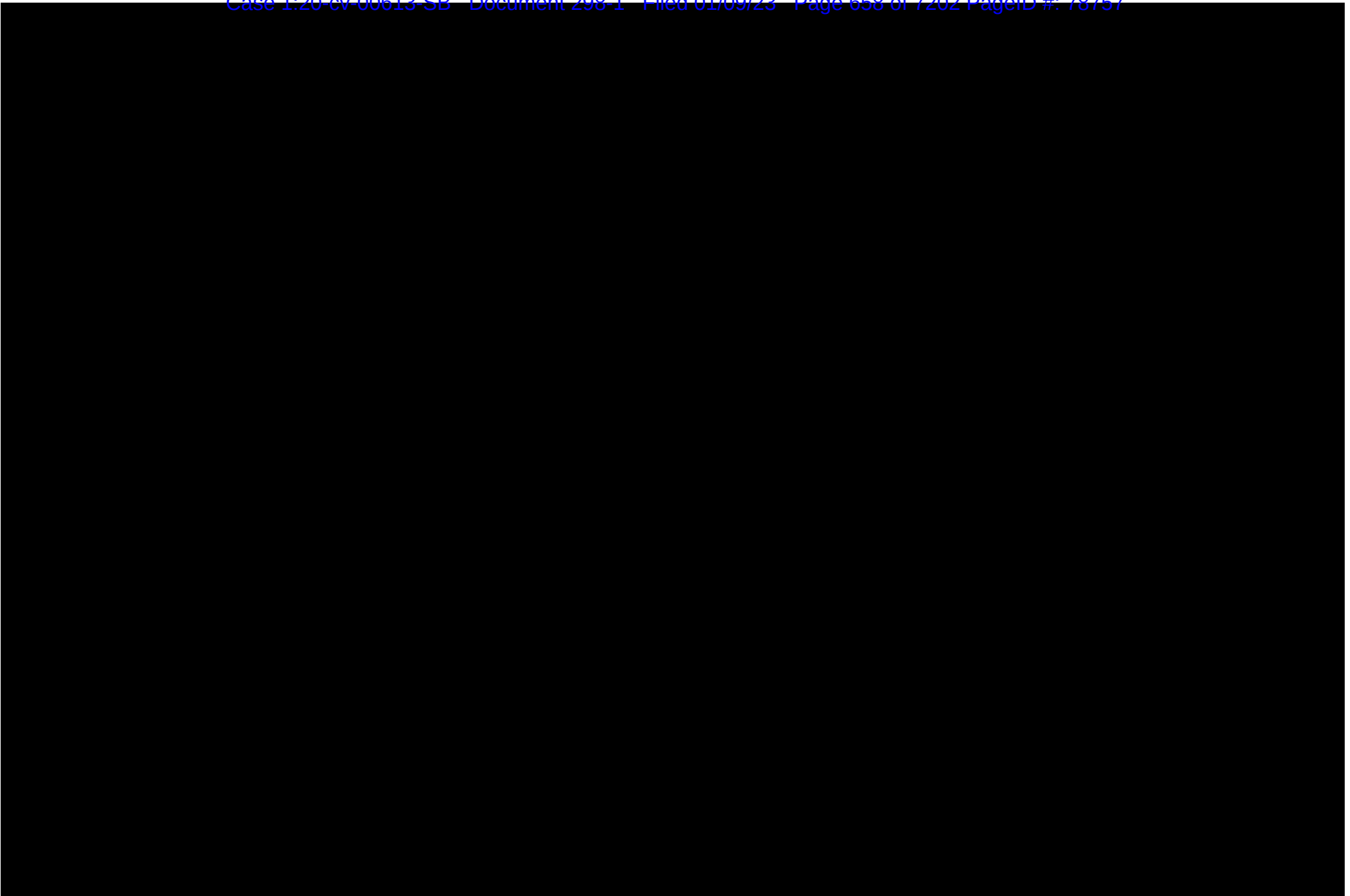


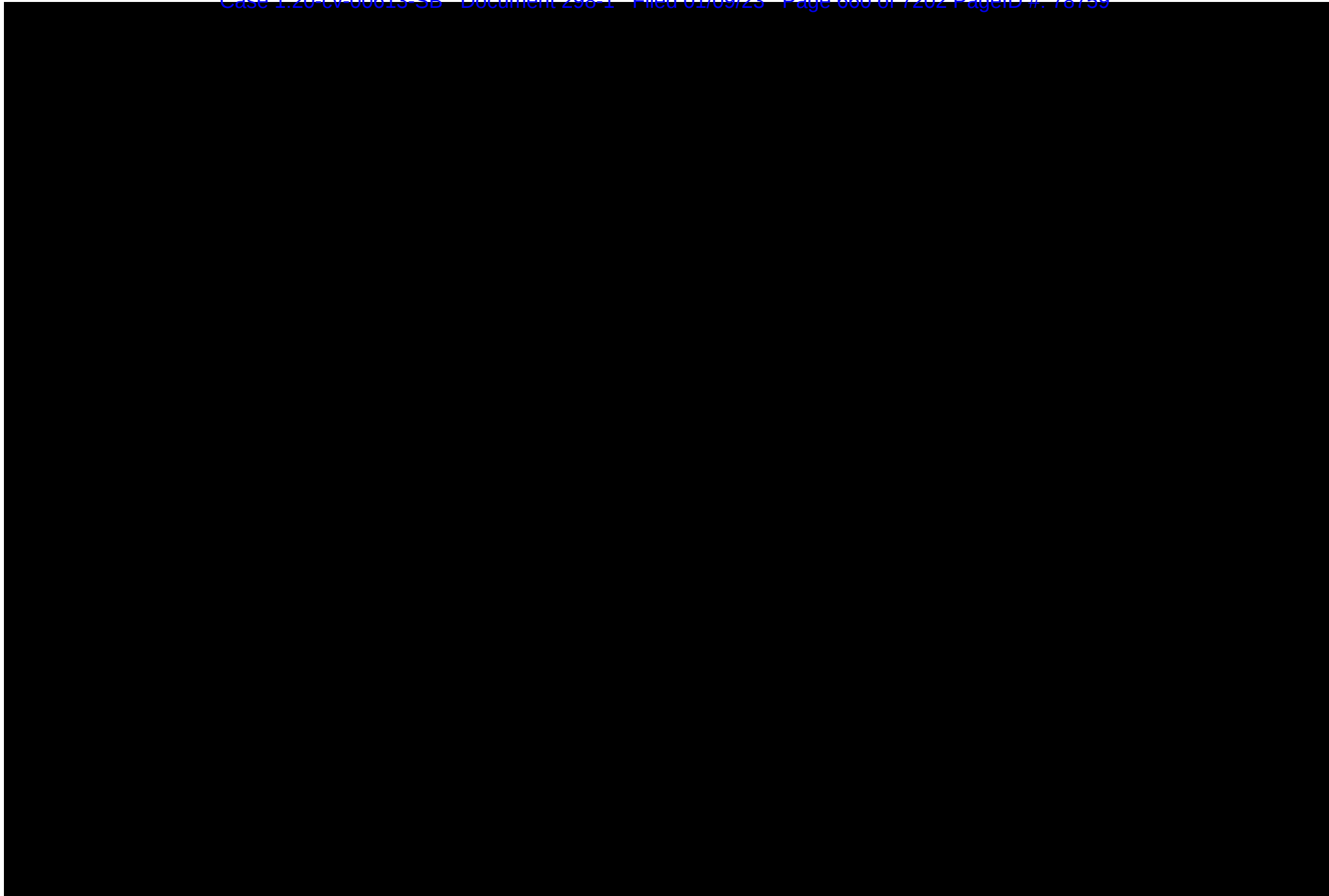


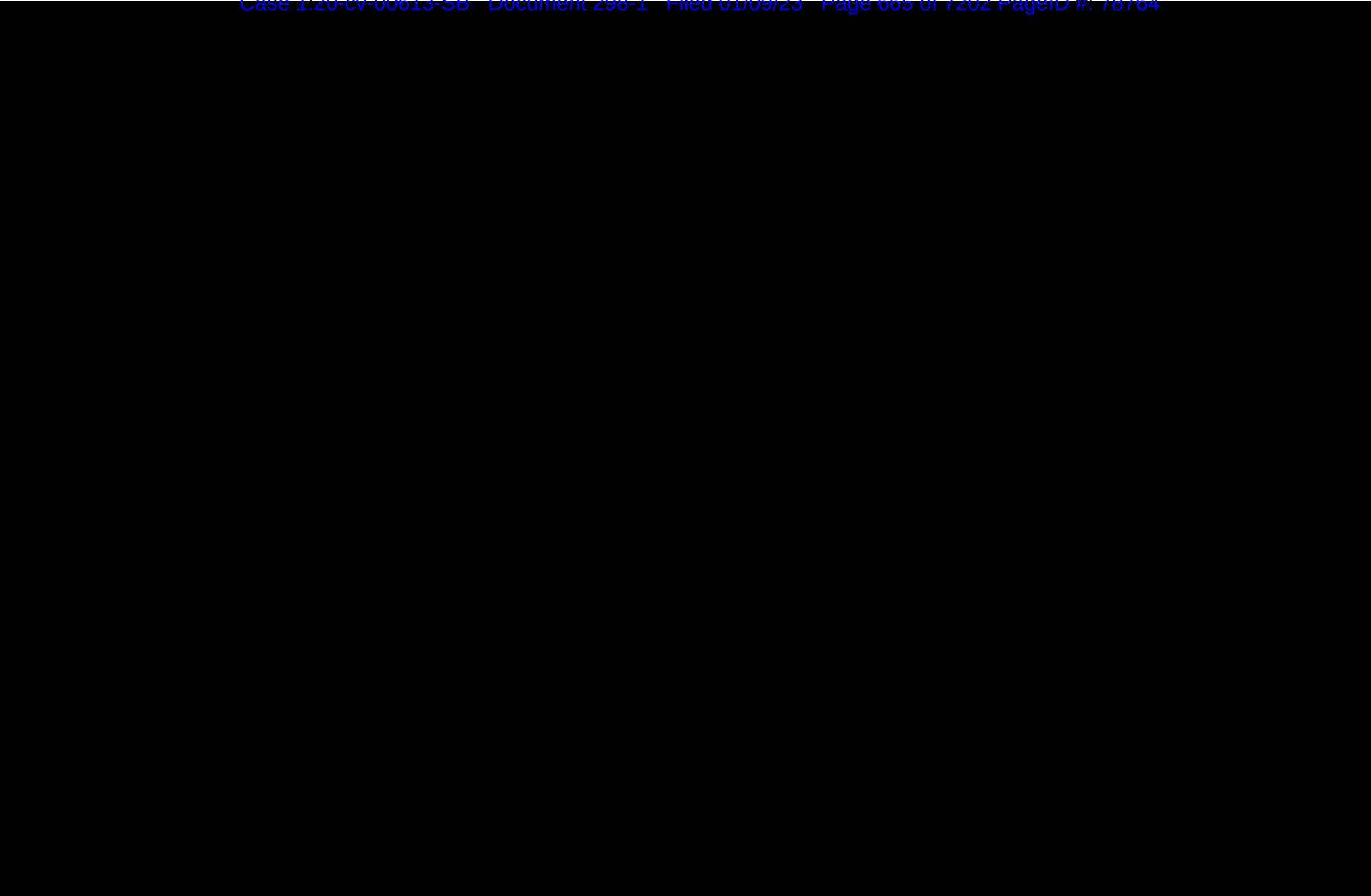


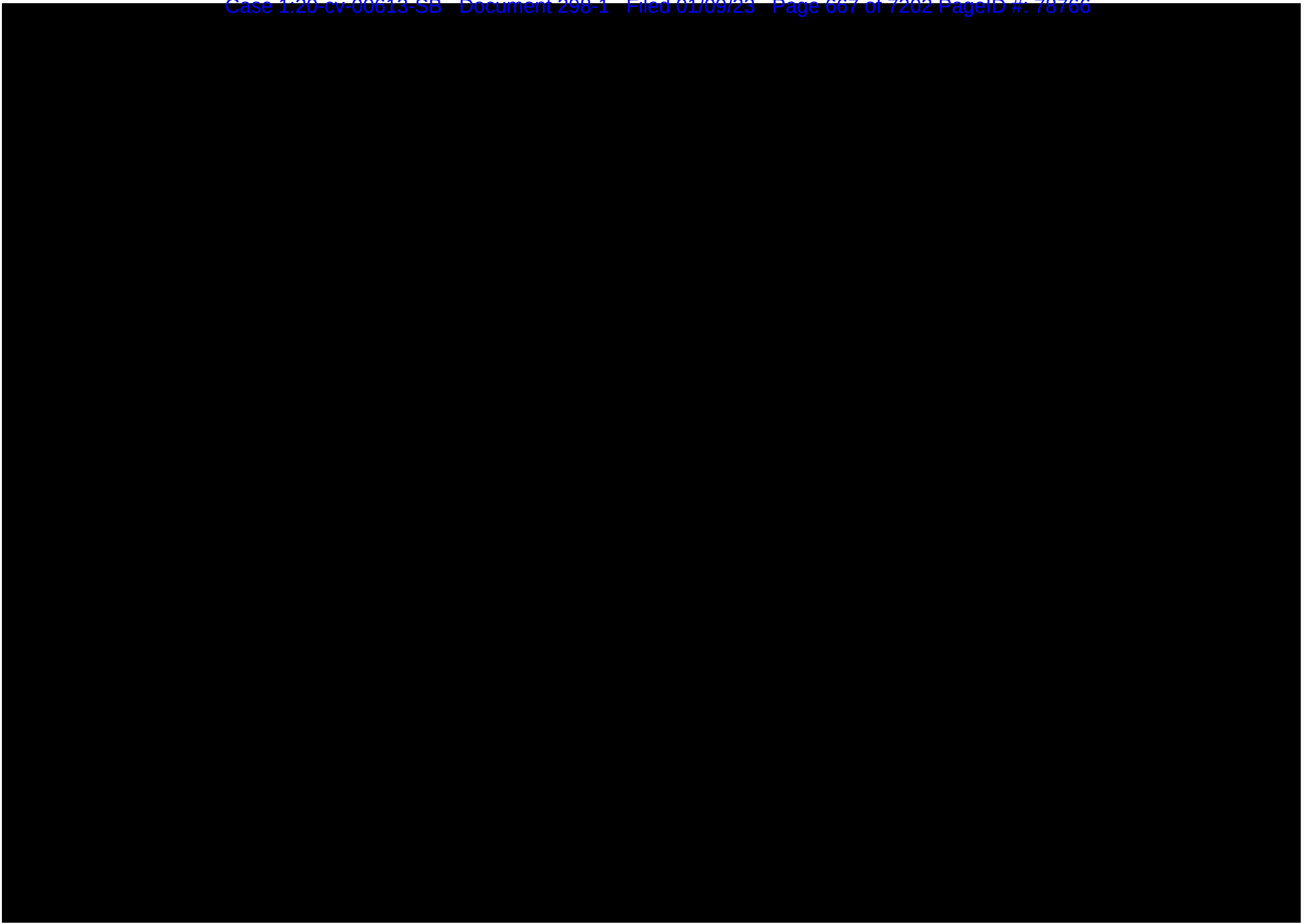
ID	Question	Headnote	Case Opinion	Question to Headnote Rank	Headnote to Case Opinion Rank	Question Bates #	Headnote Bates #	Case Opinion Bates #
7104	is the cumulative remedies provision in rule governing dismissal for want of prosecution and reinstatement limited to other viable procedures and remedies which are not inherently inconsistent with procedures set forth in a rule itself?	Cumulative remedies provision in rule governing dismissal for want of prosecution and reinstatement is limited to other viable procedures and remedies which are not inherently inconsistent with procedures set forth in rule itself. Vernon's Ann.Texas Rules Civ.Proc., Rule 165a, subd. 4.	Nevertheless, appellees contend the notice in this case permitted the trial judge to dismiss under the court's inherent authority because rule 165a(4) "speaks of the Trial Court's inherent authority." Rule 165a(4) addresses cumulative remedies and provides that the "same reinstatement procedures and timetable are applicable to all dismissals for want of prosecution including cases which are dismissed pursuant to the court's inherent power, whether or not a motion to dismiss has been filed." TEX.R.	1	4	ROSS-003293551	TR-0691126	TR-0797211
7121	as long as there is no genuine issue of material fact and the defendant is entitled to judgment as a matter of law, can the complaint be properly dismissed?	In a motion to dismiss based upon certain defects or defenses, as long as there is no genuine issue of material fact and the defendant is entitled to judgment as a matter of law, the complaint may be properly dismissed. S.H.A. 735 ILCS 5/2-619.	If a cause of action is dismissed pursuant to a section 2-619 argument, the questions on appeal are whether a genuine issue of *355 material fact exists and whether the defendants are entitled **953 ***878 to judgment as a matter of law.	1	3	ROSS-003293589	TR-0581383	TR-0867598
7124	does the second prong of the test for determining whether a security interest or a lease is created focus on whether the lessee has the right to purchase the property?	Under Georgia's interpretation of the Uniform Commercial Code (UCC), the second prong of the test for determining whether a security interest or a lease is created focuses on whether the lessee has the right to purchase the property subject to the agreement for either no additional consideration or for nominal consideration.	The first prong focuses on whether "the consideration the lessee owes under the agreement for the right to possess and use the vehicle for the term of the lease is subject to termination." Id. That is, whether the lessee "had the right to voluntarily terminate [the] payment obligation under the agreement." Id. The second prong focuses on whether the lessee has the right to purchase the property subject to the agreement for either no additional consideration or for nominal consideration, which the UCC specifically defines.	1	3	ROSS-003293600	TR-0634415	TR-0634415
7132	will a motion to dismiss be proper when the claim is barred by affirmative matter that defeats the claim or avoids its legal effect?	A motion to dismiss based upon defects or defenses is proper when the claim is barred by affirmative matter that defeats the claim or avoids its legal effect. S.H.A. 735 ILCS 5/2-619(a)(9).	Under subsection (a)(9), the subsection that applies in this case, a litigant may obtain an involuntary dismissal of a claim *1001 **167 asserted against him if the claim is barred by other affirmative matter, which avoids the legal effect of or defeats the claim. 735 ILCS 5/2-619(a)(9) (West 2014). An "affirmative matter" is something in the nature of a defense that negates the cause of action completely. Van Meter, 207 Ill.	2	3	ROSS-003293617	TR-0795877	TR-0800123

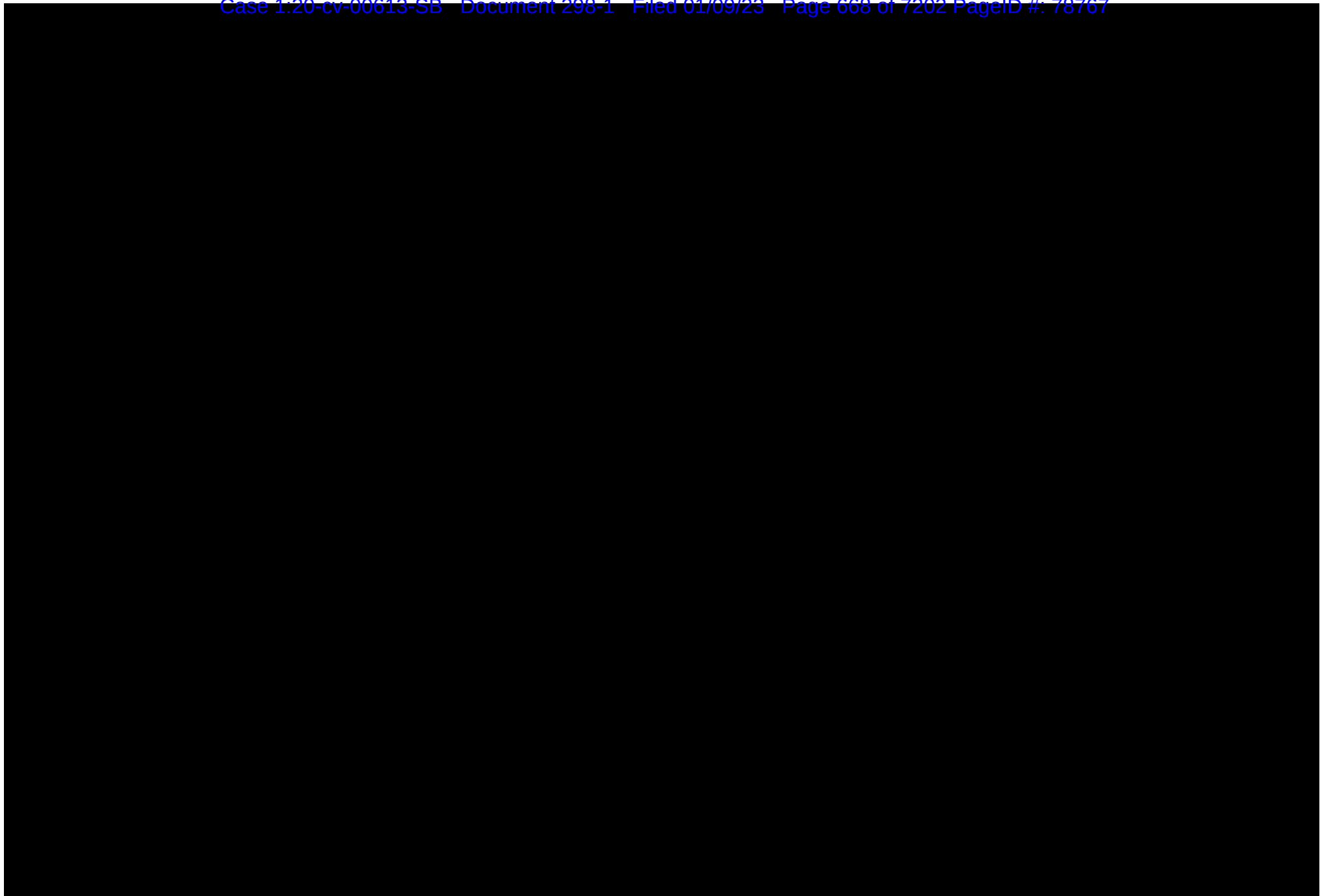
ID	Question	Headnote	Case Opinion	Question to Headnote Rank	Headnote to Case Opinion Rank	Question Bates #	Headnote Bates #	Case Opinion Bates #
7144	is equitable estoppel a shield and not a sword?	Estoppel is not actionable fraud; there is usually no need for scienter and estoppel is a shield not a sword.	Perry's Landing, Inc., 11 Ohio App.3d 135, 144, 463 N.E.2d 636 (Ohio Ct.App.1983). While Ohio courts have long espoused that the point of estoppel is to prevent fraud, "estoppel is not actionable fraud and is not treated like actionable fraud. There is usually no need for scienter, an intent to deceive, in estoppel cases, for example." Id.	2	3	ROSS-003293653	TR-0872628	TR-0655063
7148	is a motion to dismiss for failure to comply with the rule governing the pleading requirements for fraud or mistake generally treated as a motion to dismiss for failure to state a claim on which relief can be granted?	A motion to dismiss for failure to comply with the rule governing the pleading requirements for fraud or mistake is generally treated as a motion to dismiss for failure to state a claim on which relief can be granted. Colo. R. Civ. P. 9(b).	We bear in mind that the petition was dismissed on defendants' bald motion to dismiss, that technical forms of pleading are not required, Rule 55.05, and that a petition should be held good as against a general motion to dismiss for failure to state a claim upon which relief can be granted if the averments of the petition, liberally construed, invoke substantive principles of law which entitle the plaintiff to relief.	1	3	ROSS-003293660	TR-0559083	TR-0573889
7152	can a partner admit a new member to the partnership without the consent of the other partners?	As a general rule one partner cannot introduce a new member into the firm without the consent of his co-partner.	With respect to the right to sue, we do not say that the complainant was a partner in the voyage of the Mercury in any other mode than as he was a member of the firm of Carrington & Co. It has been said, that a partner cannot introduce a stranger into the firm without the consent of the rest.	2	3	ROSS-003293670	TR-0788244	TR-0807706

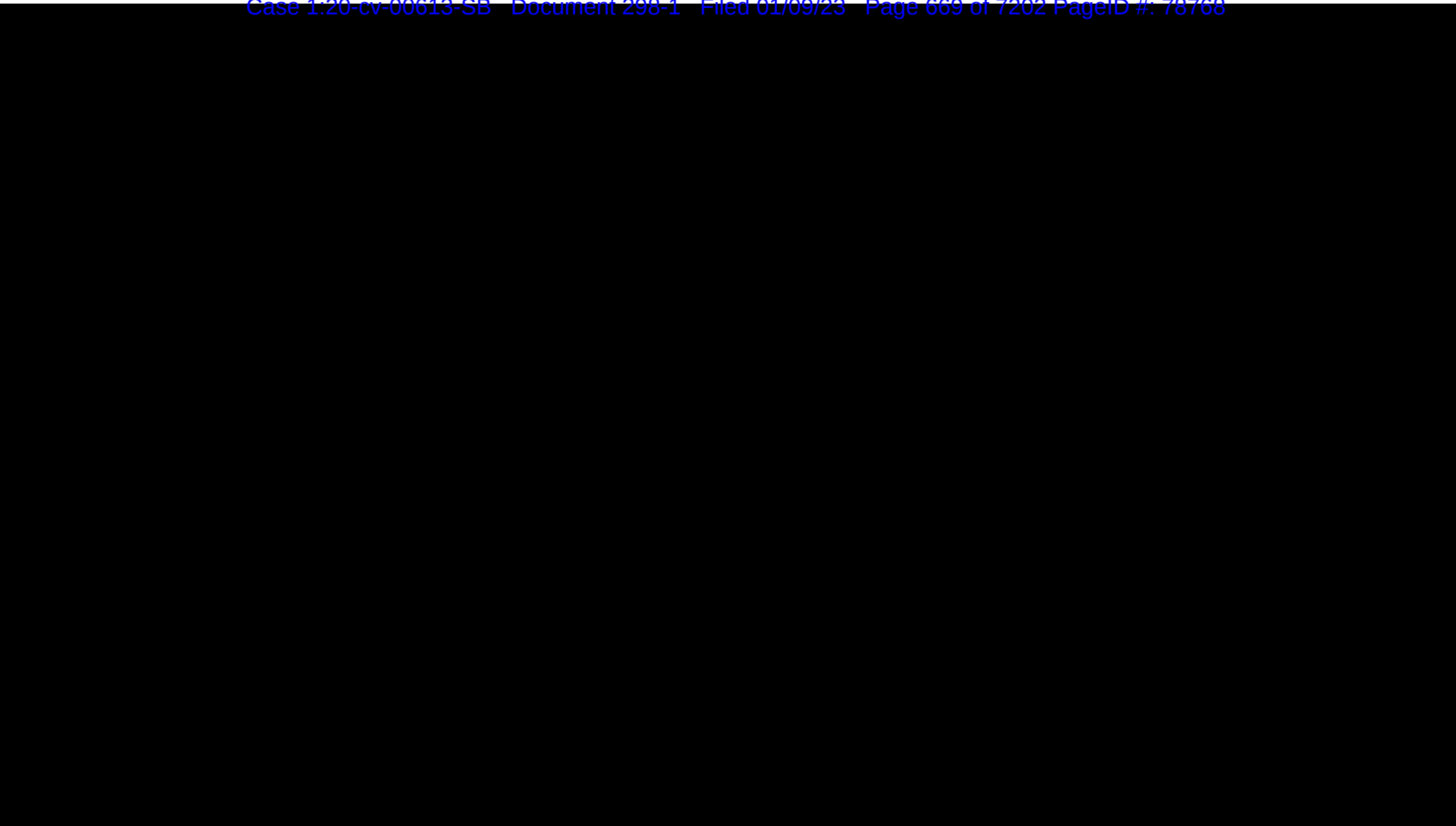


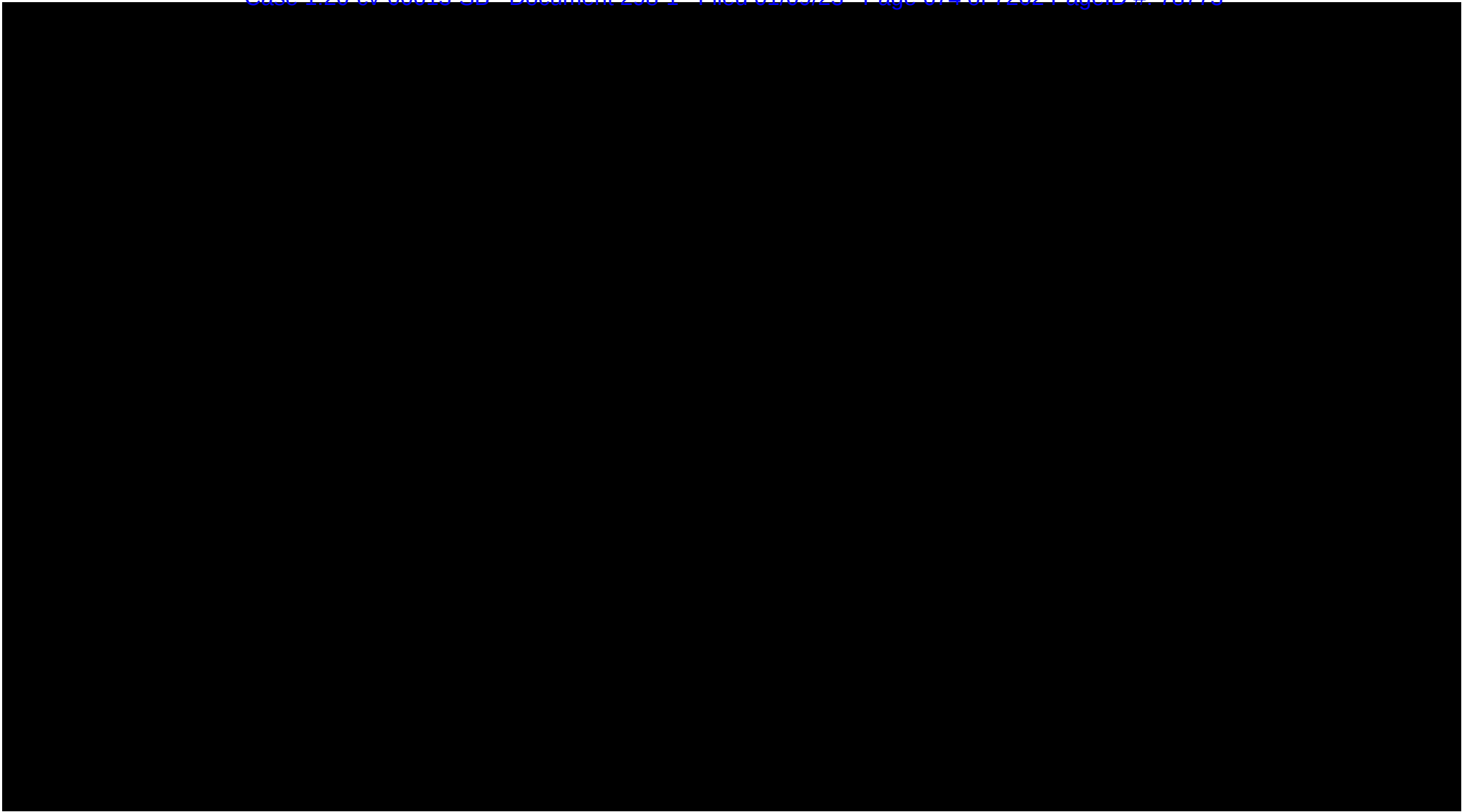


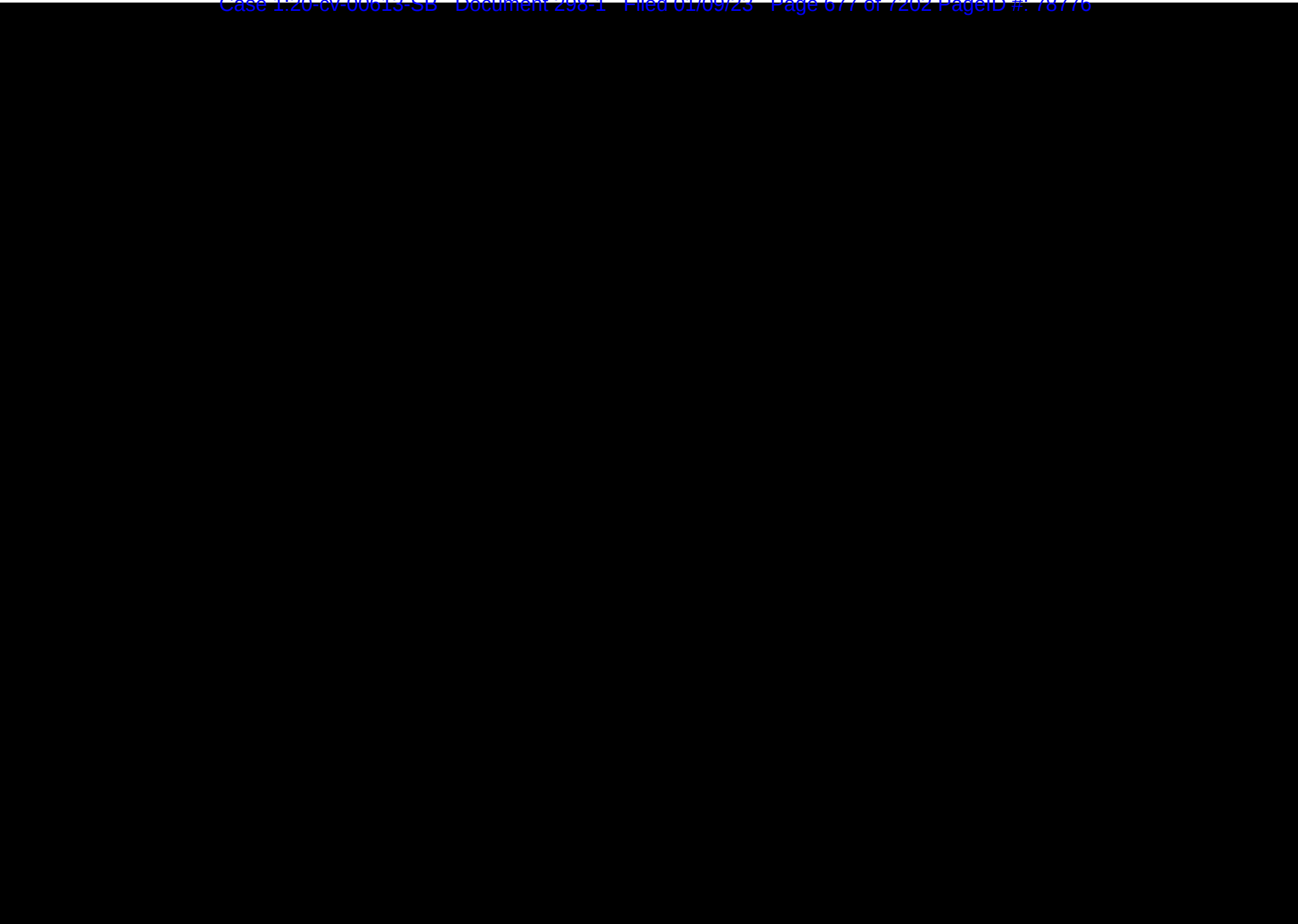


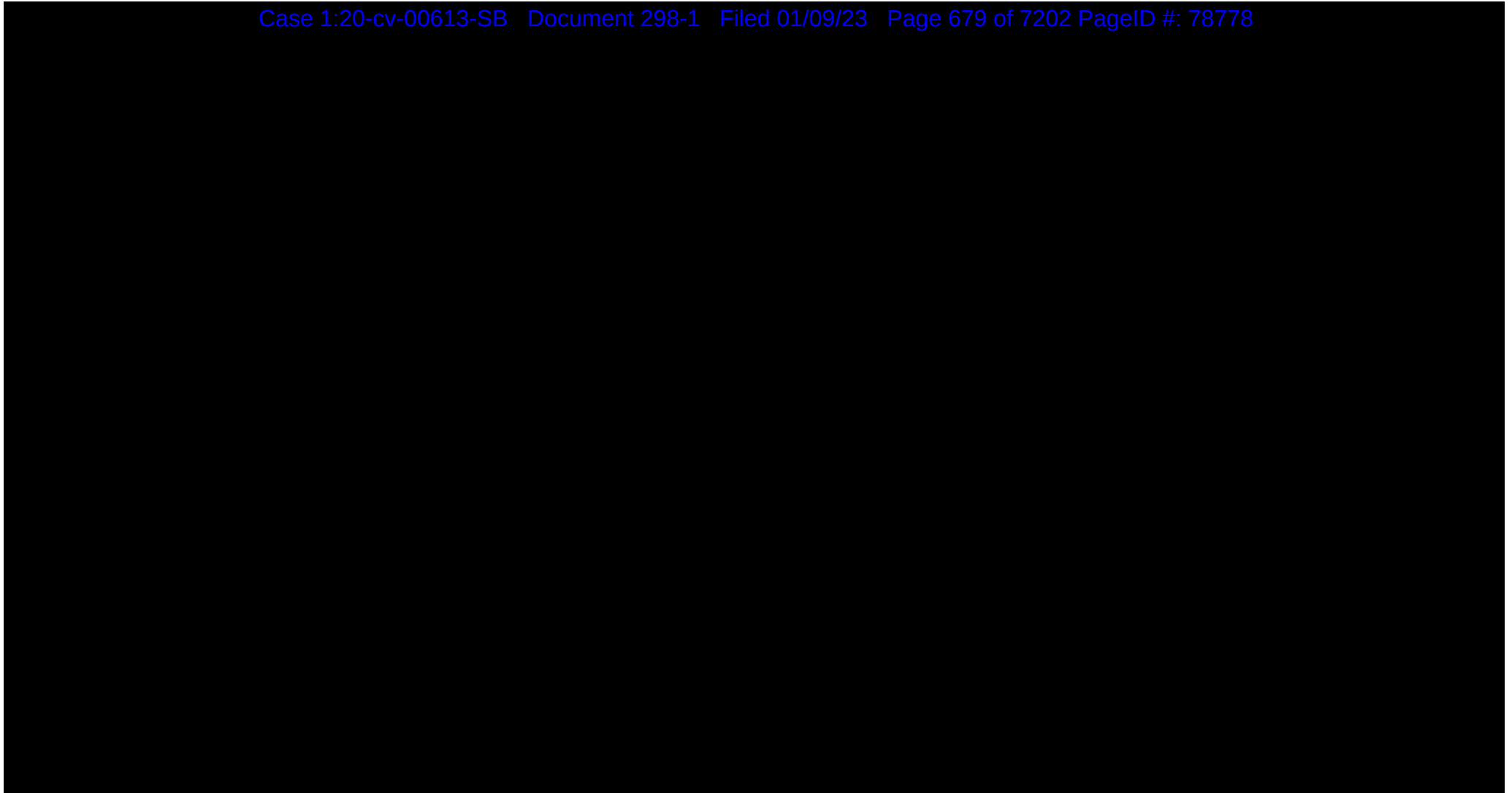


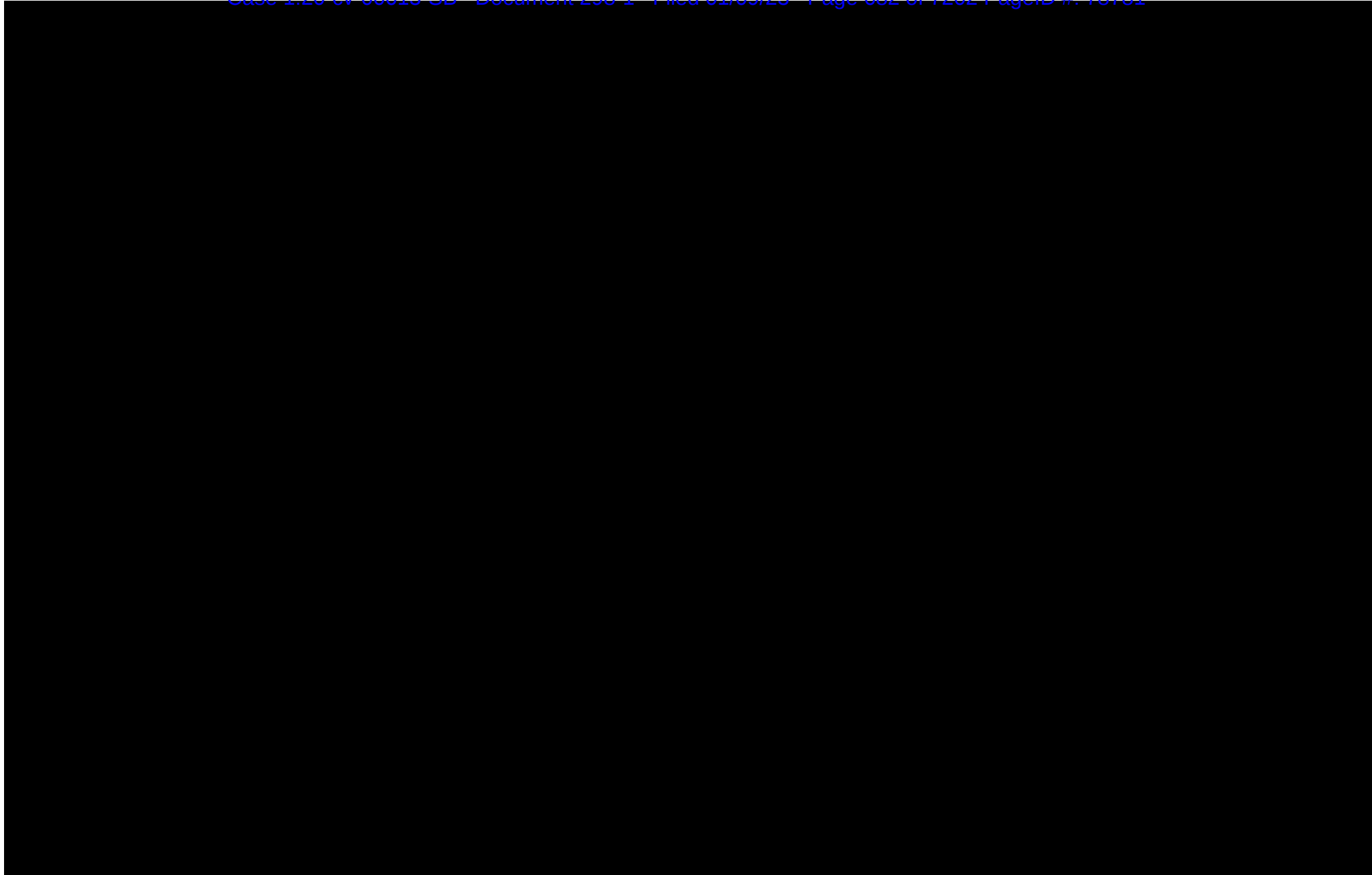


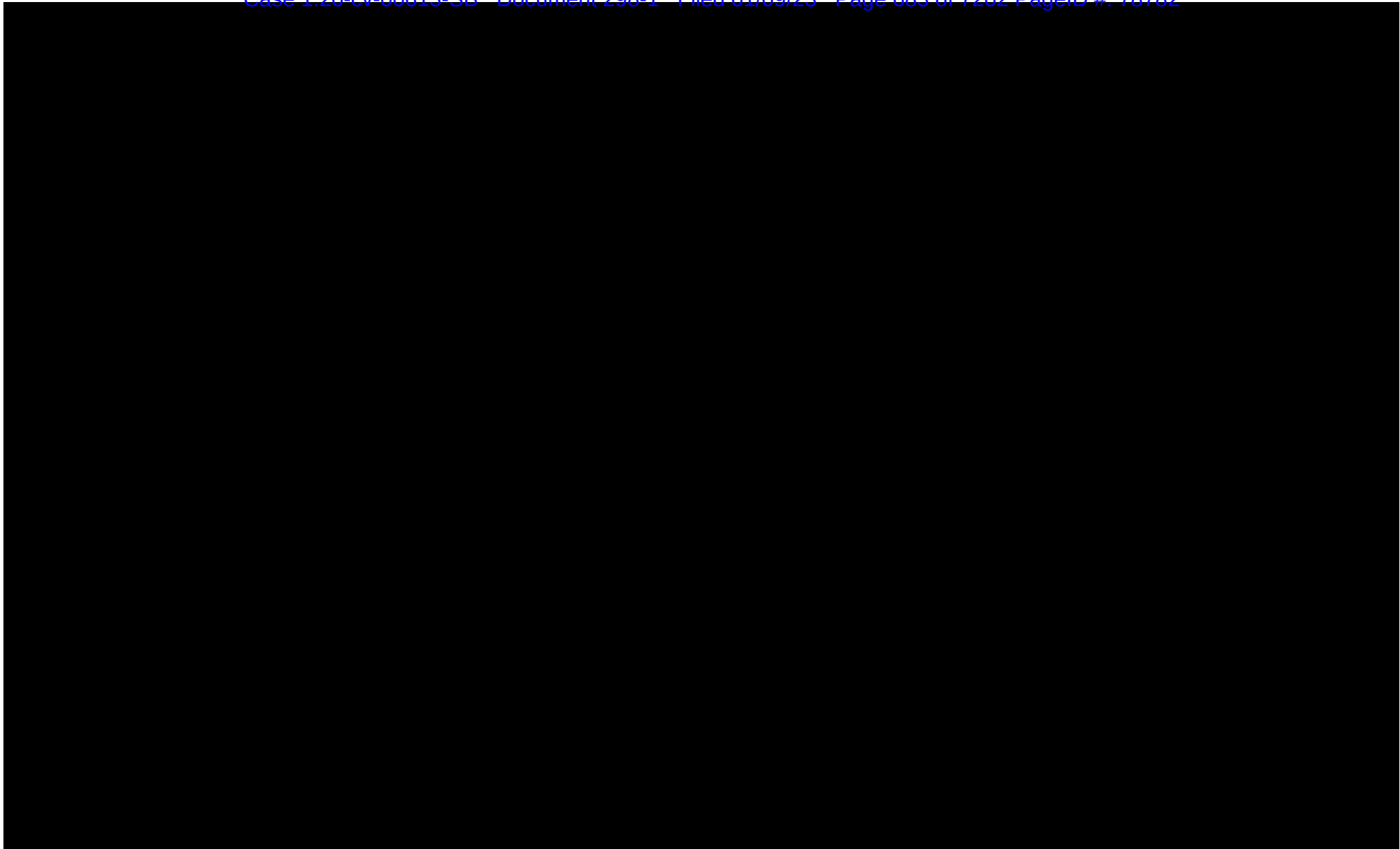


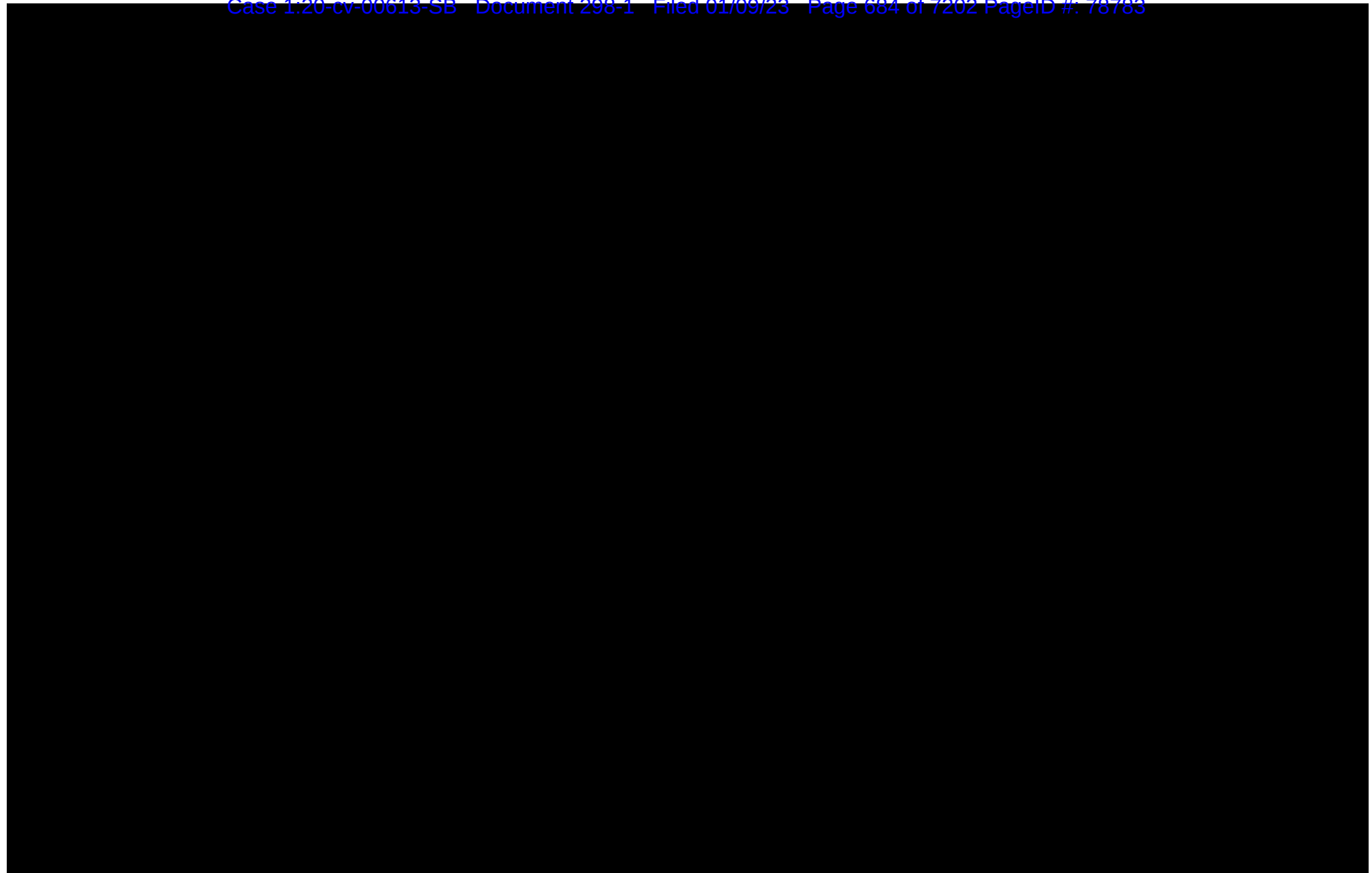


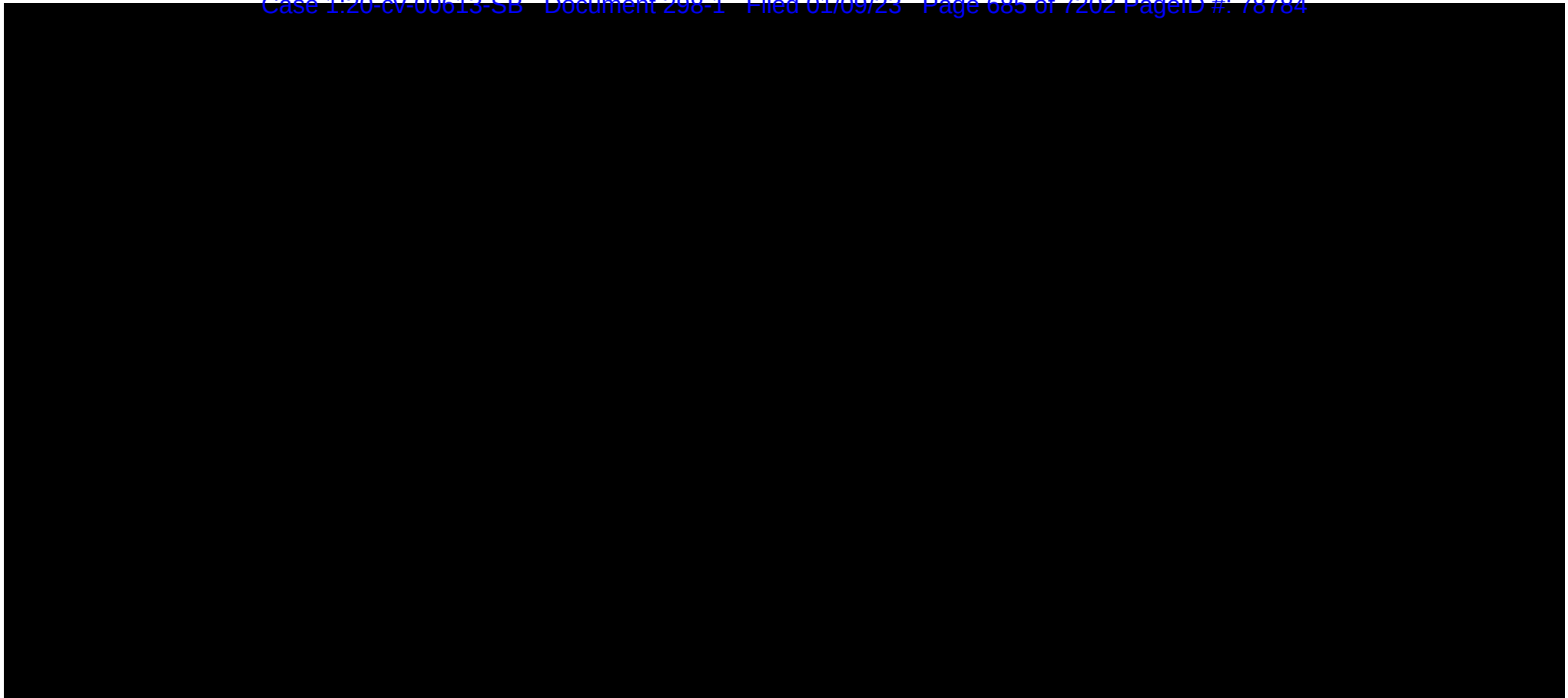


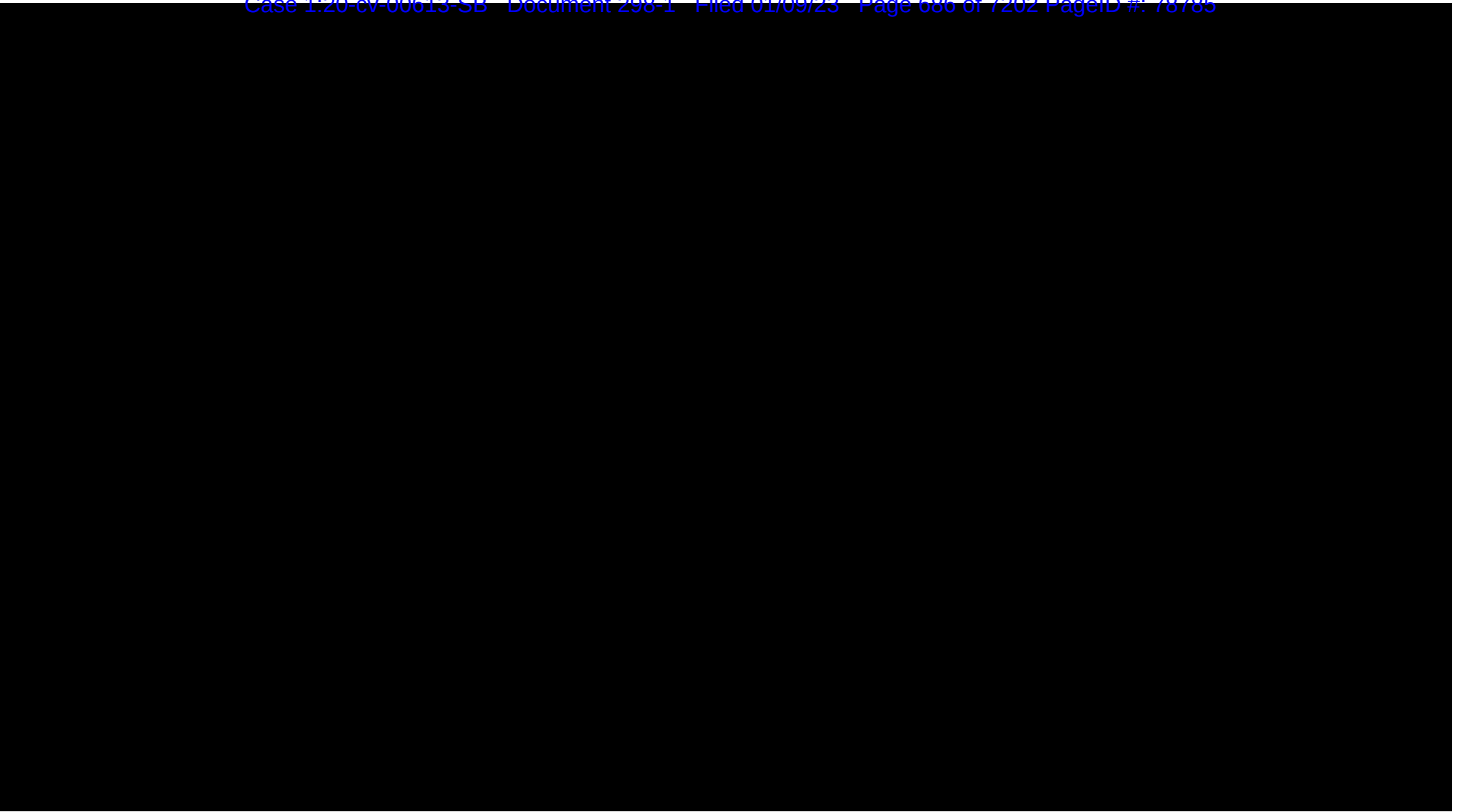


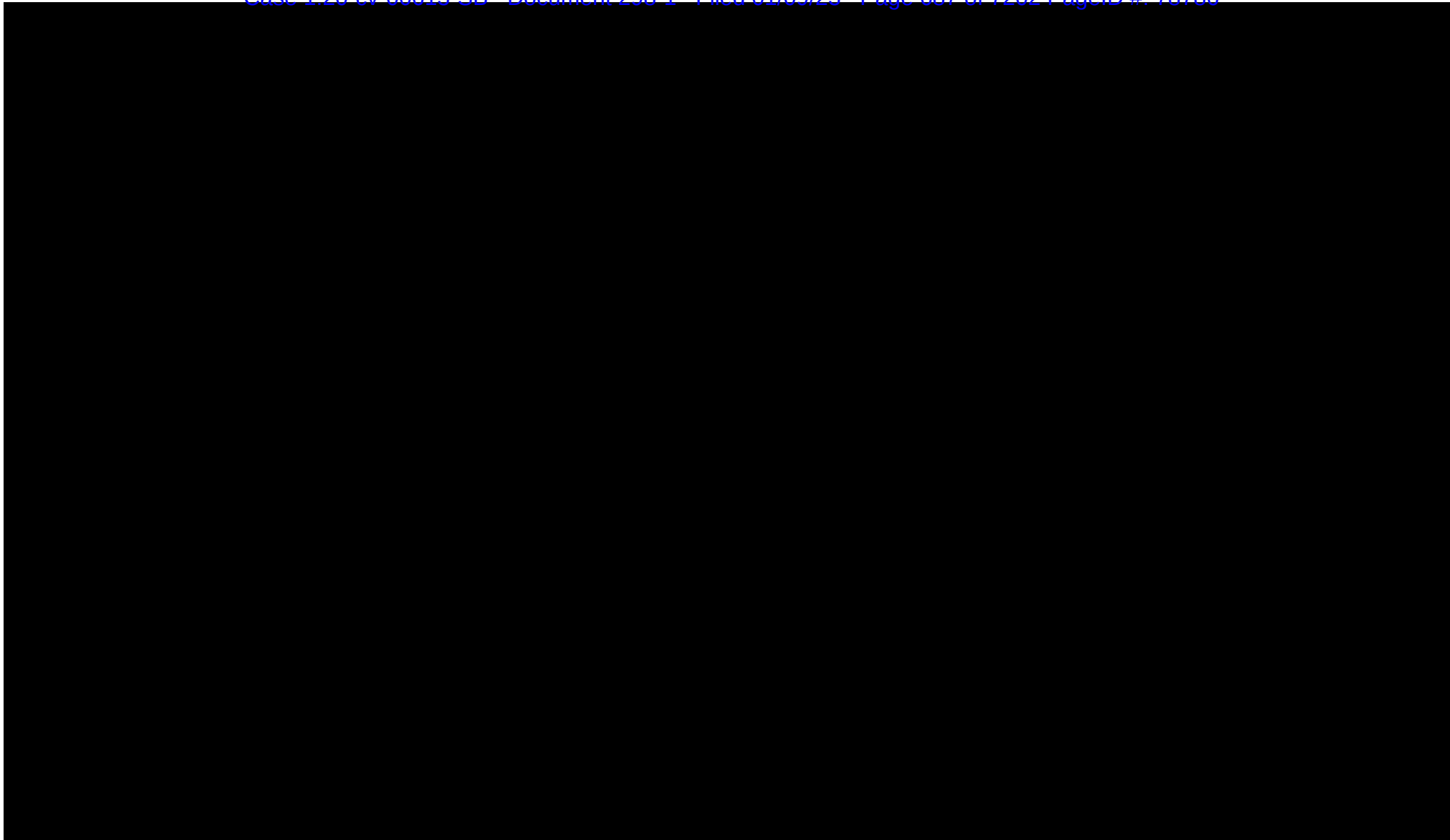


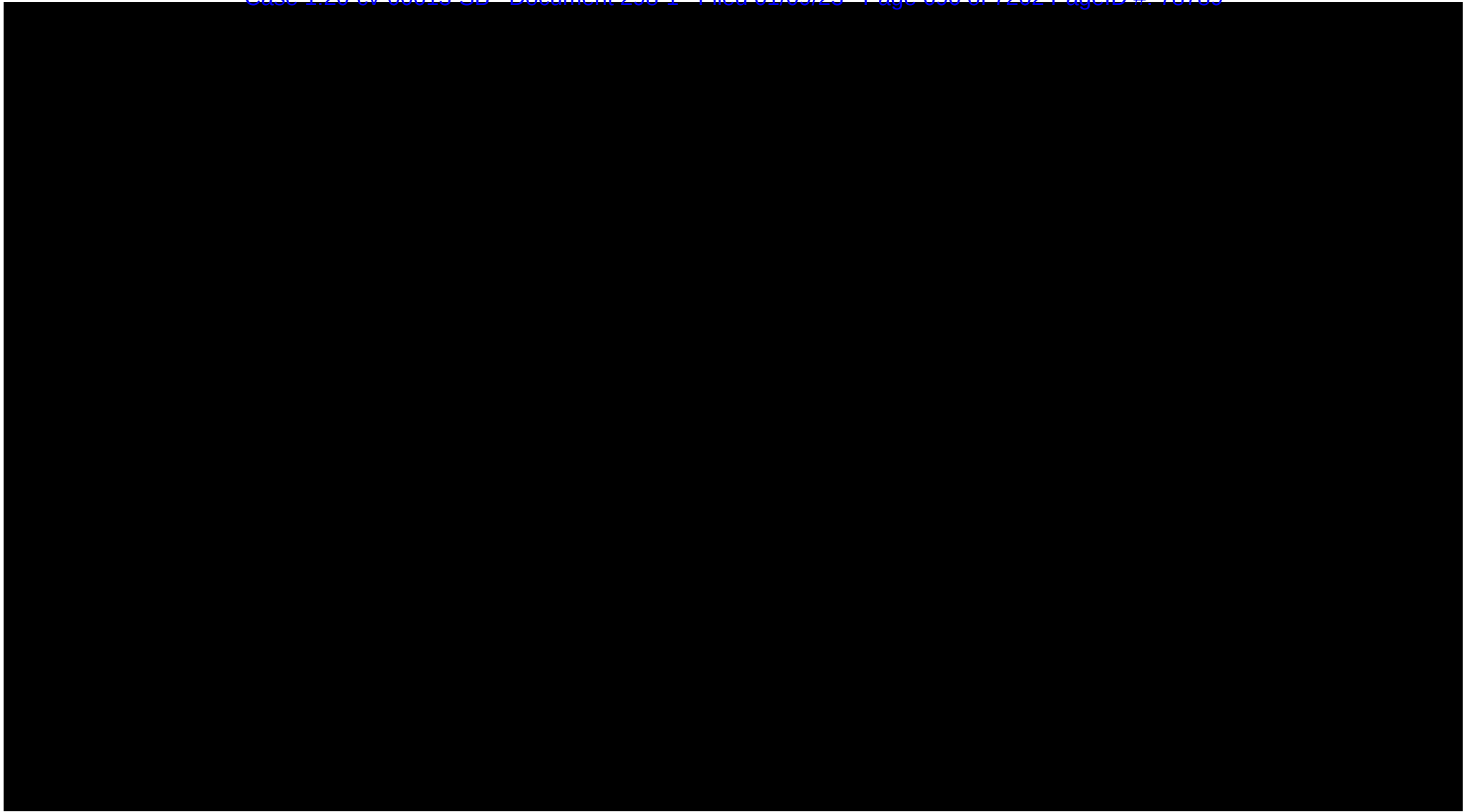


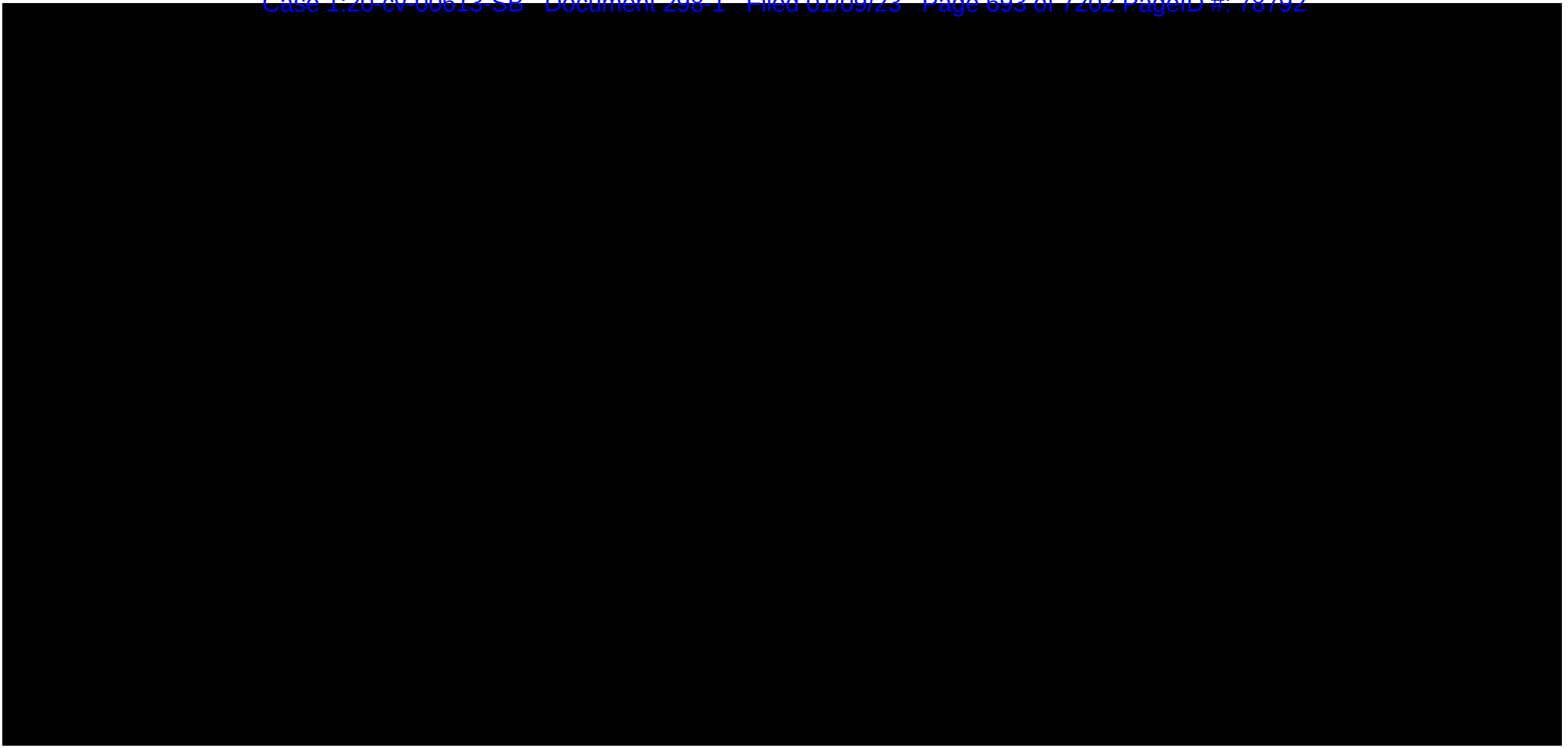


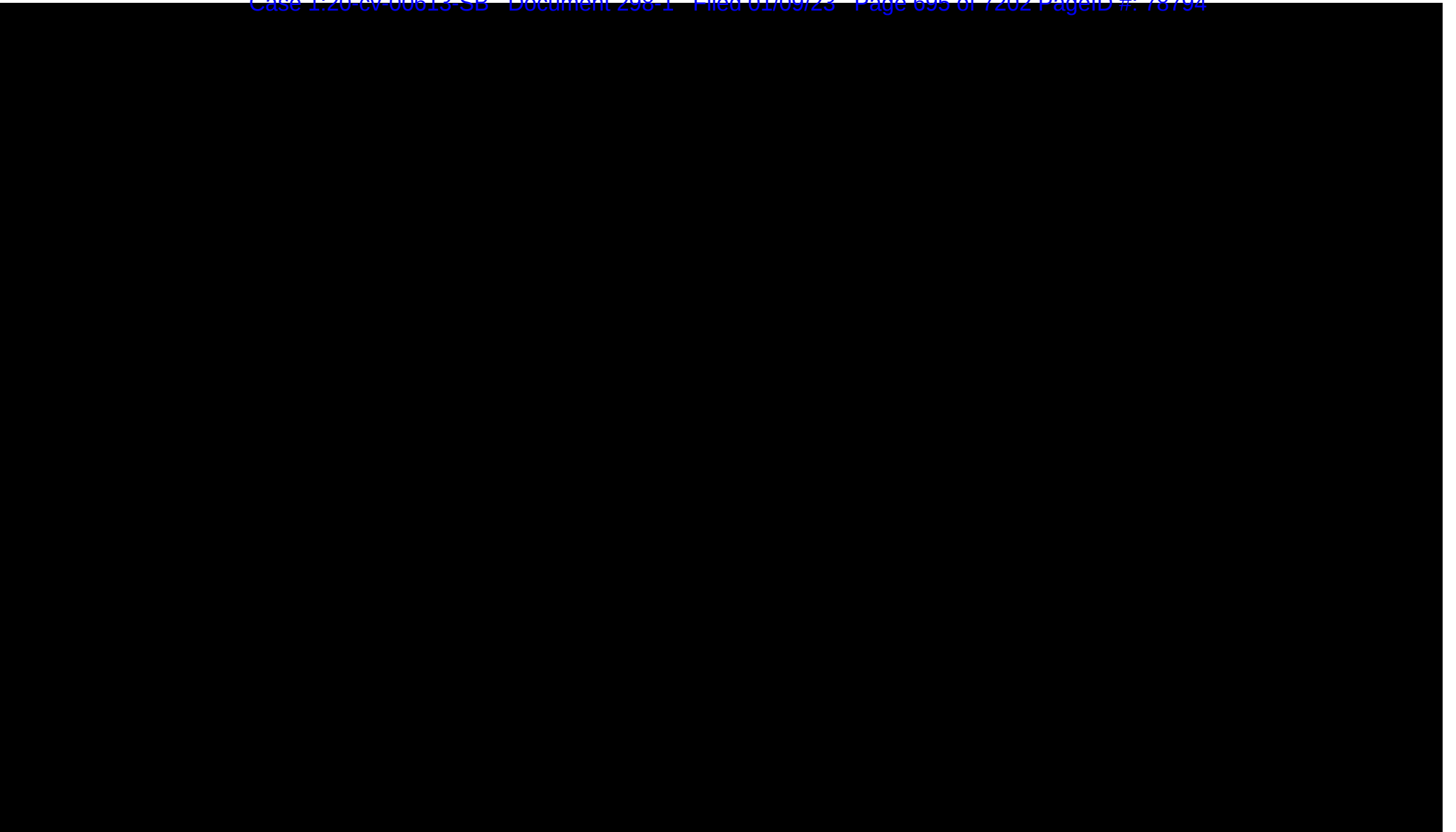


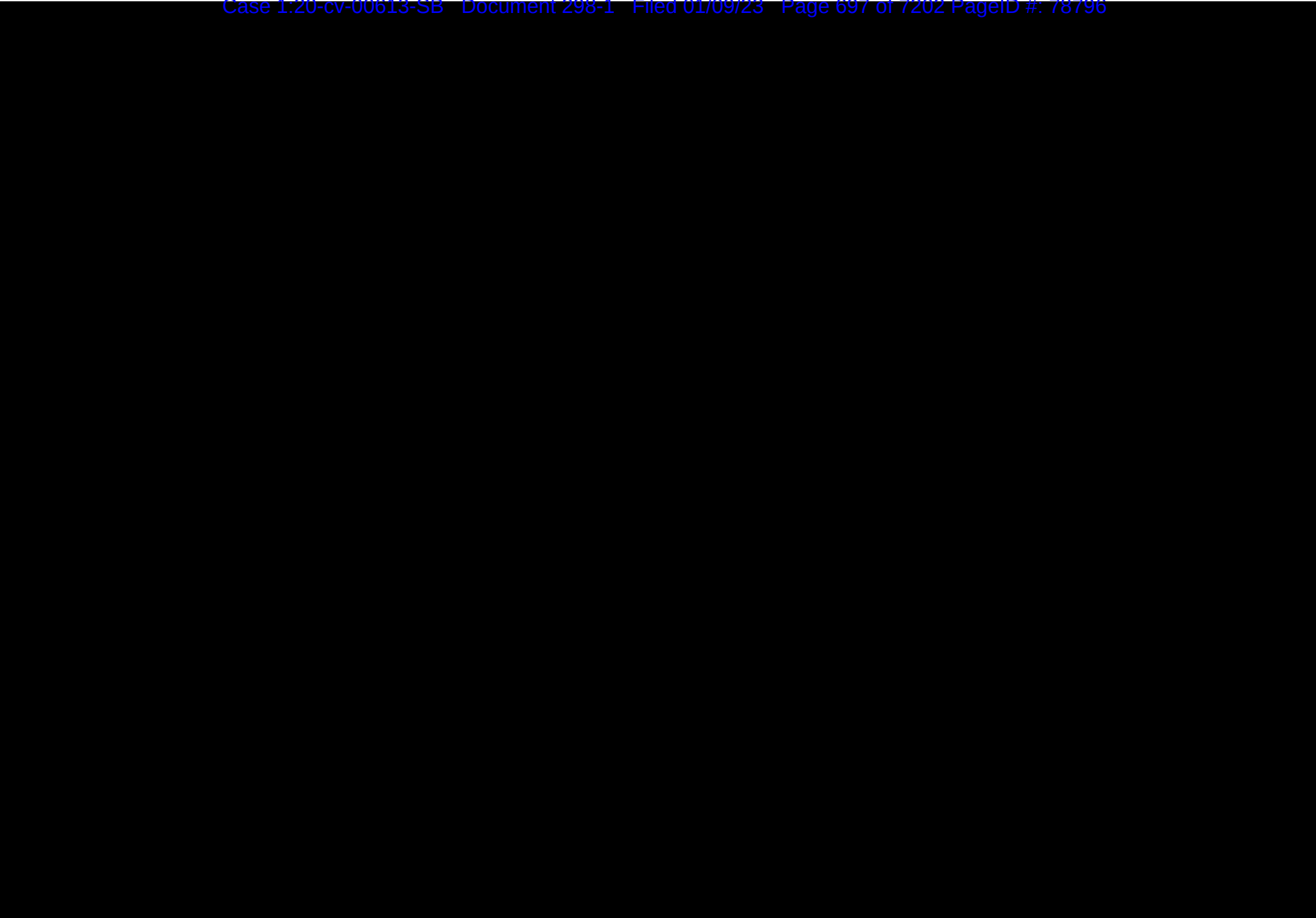


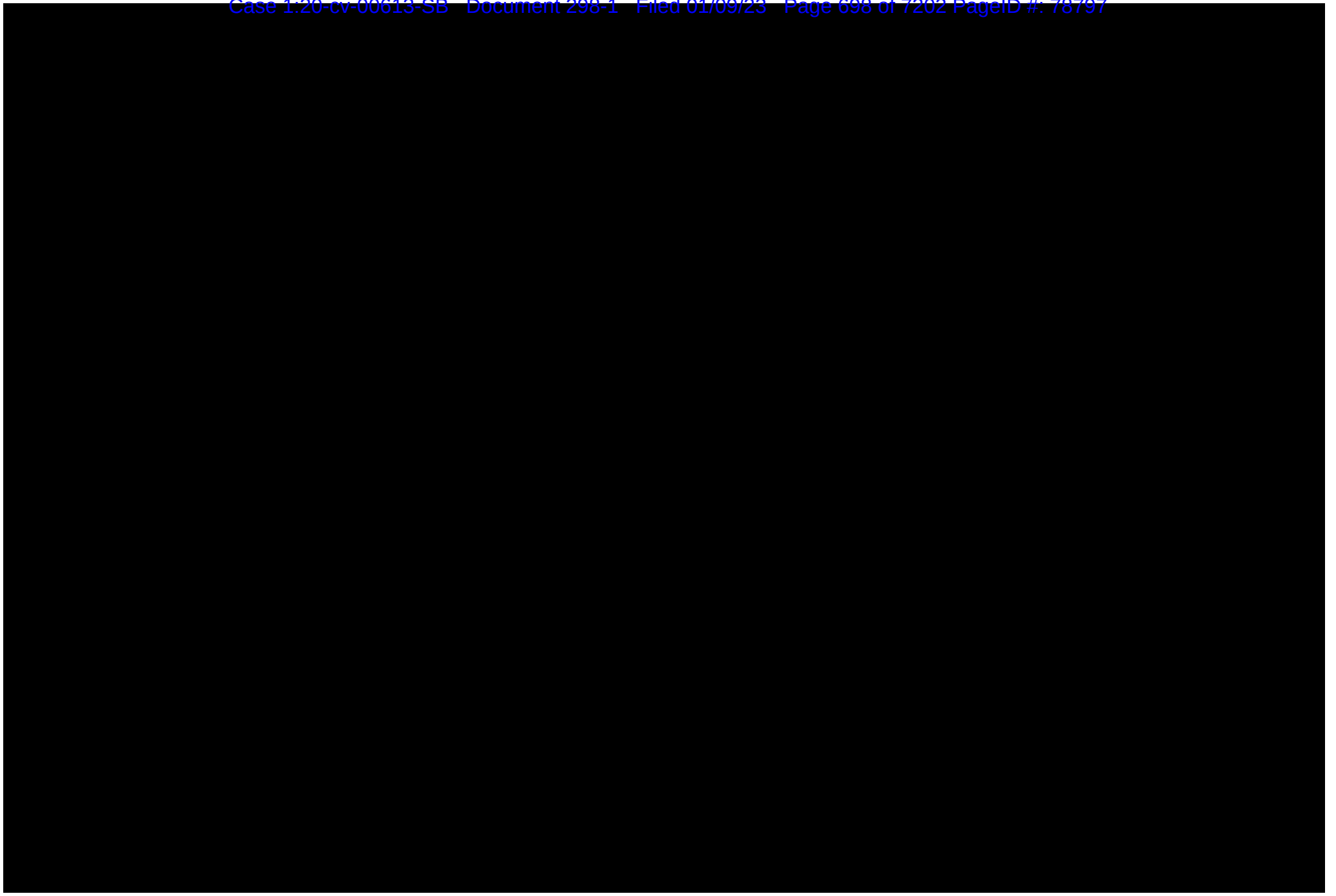


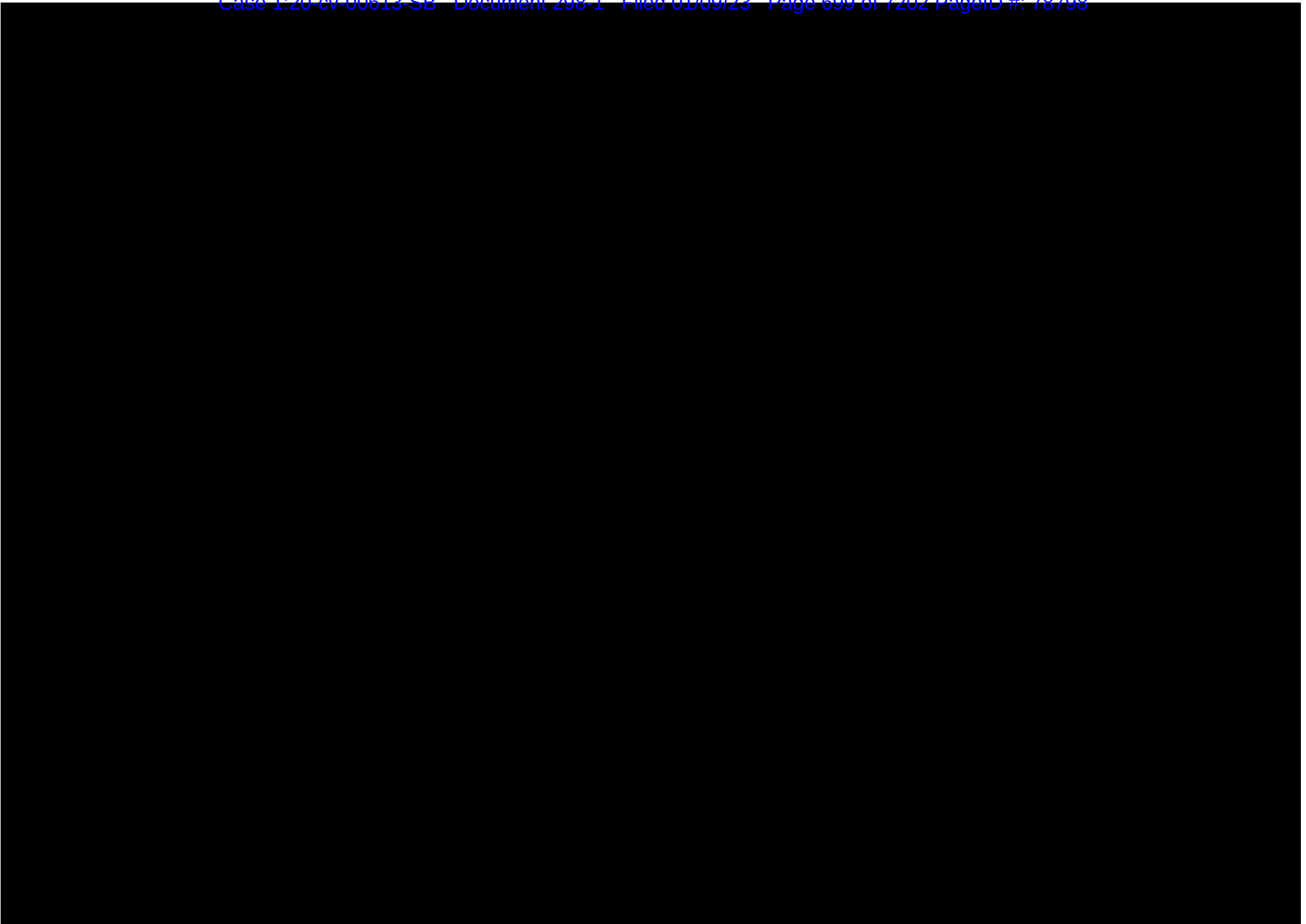


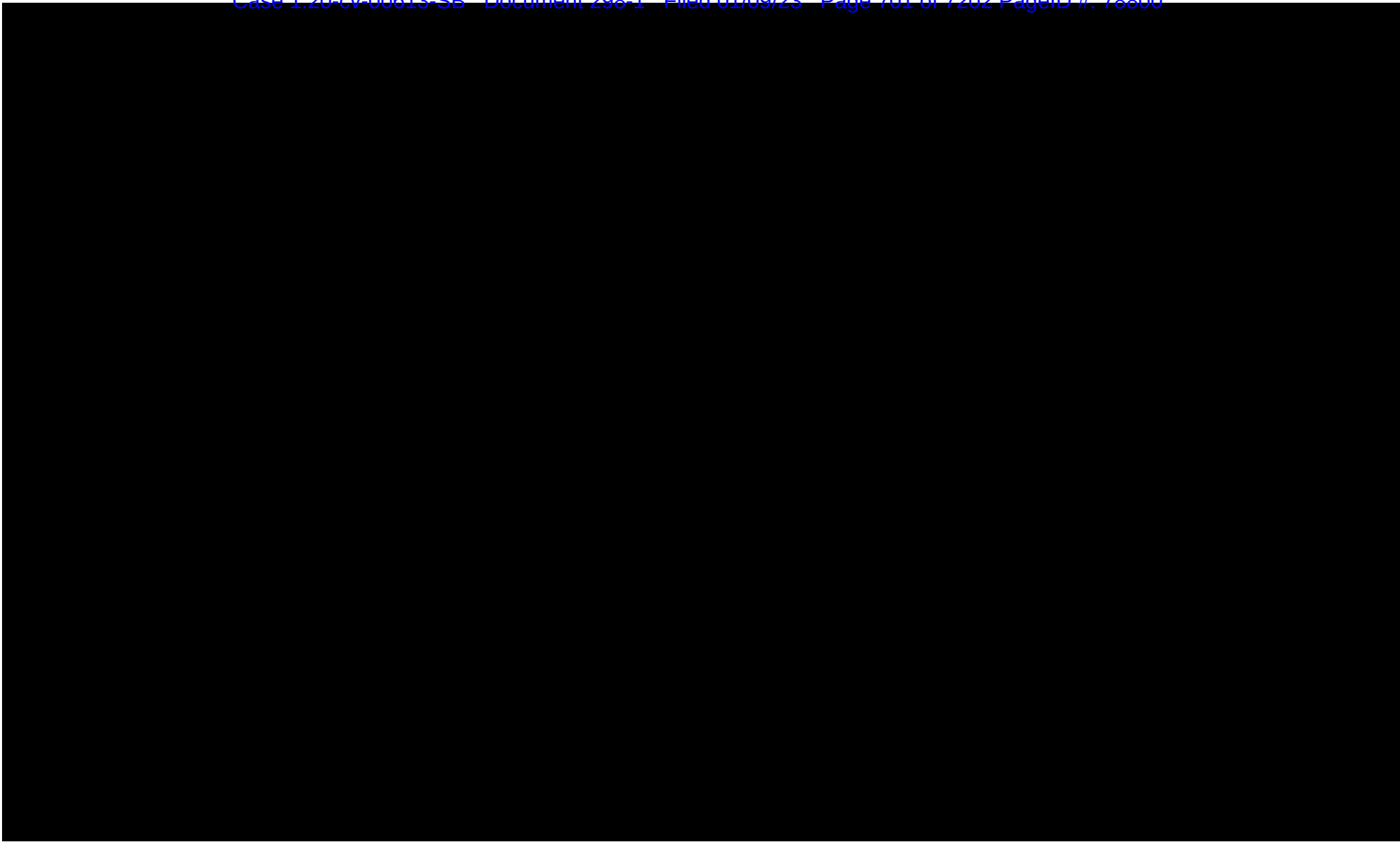


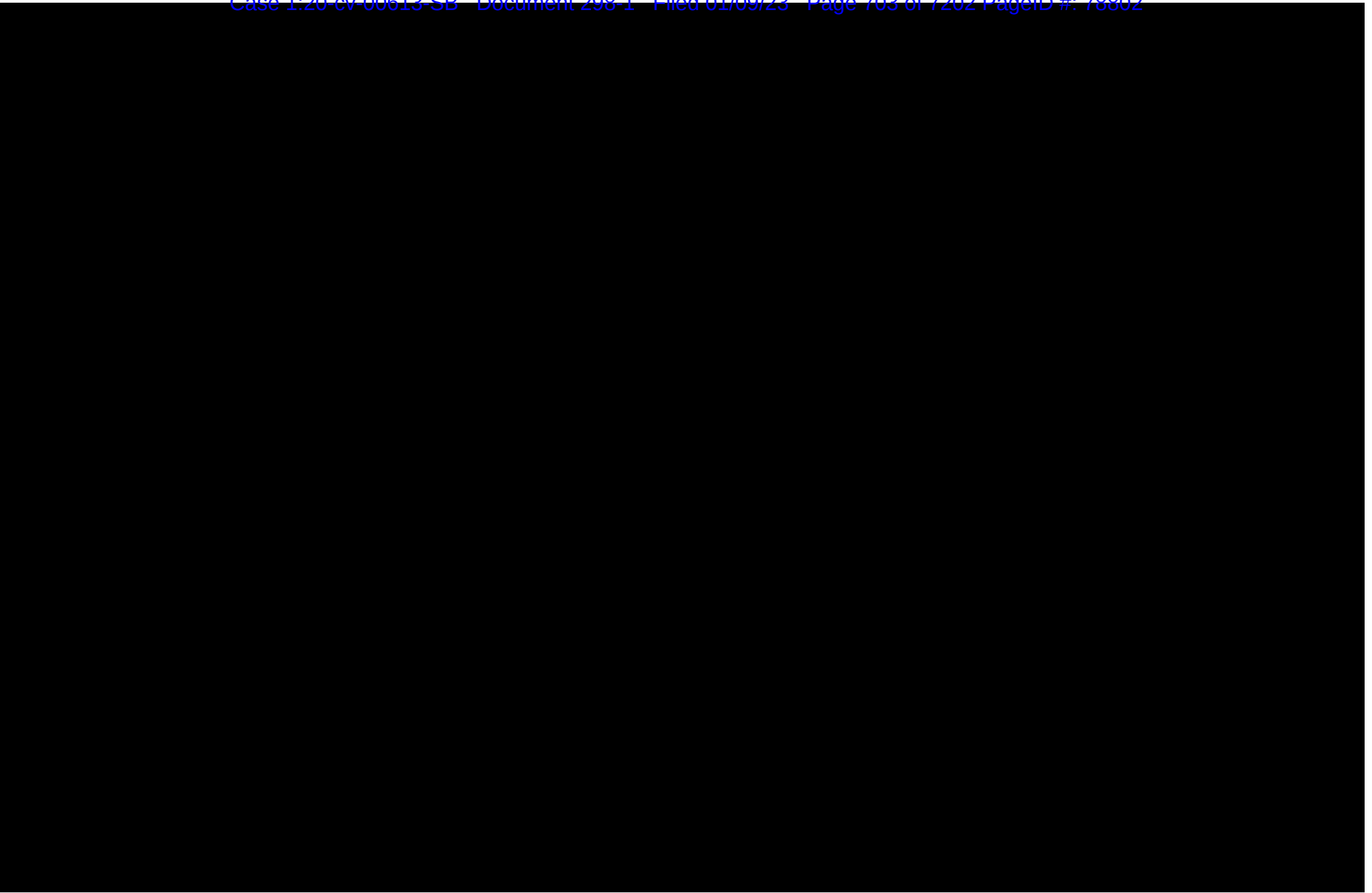


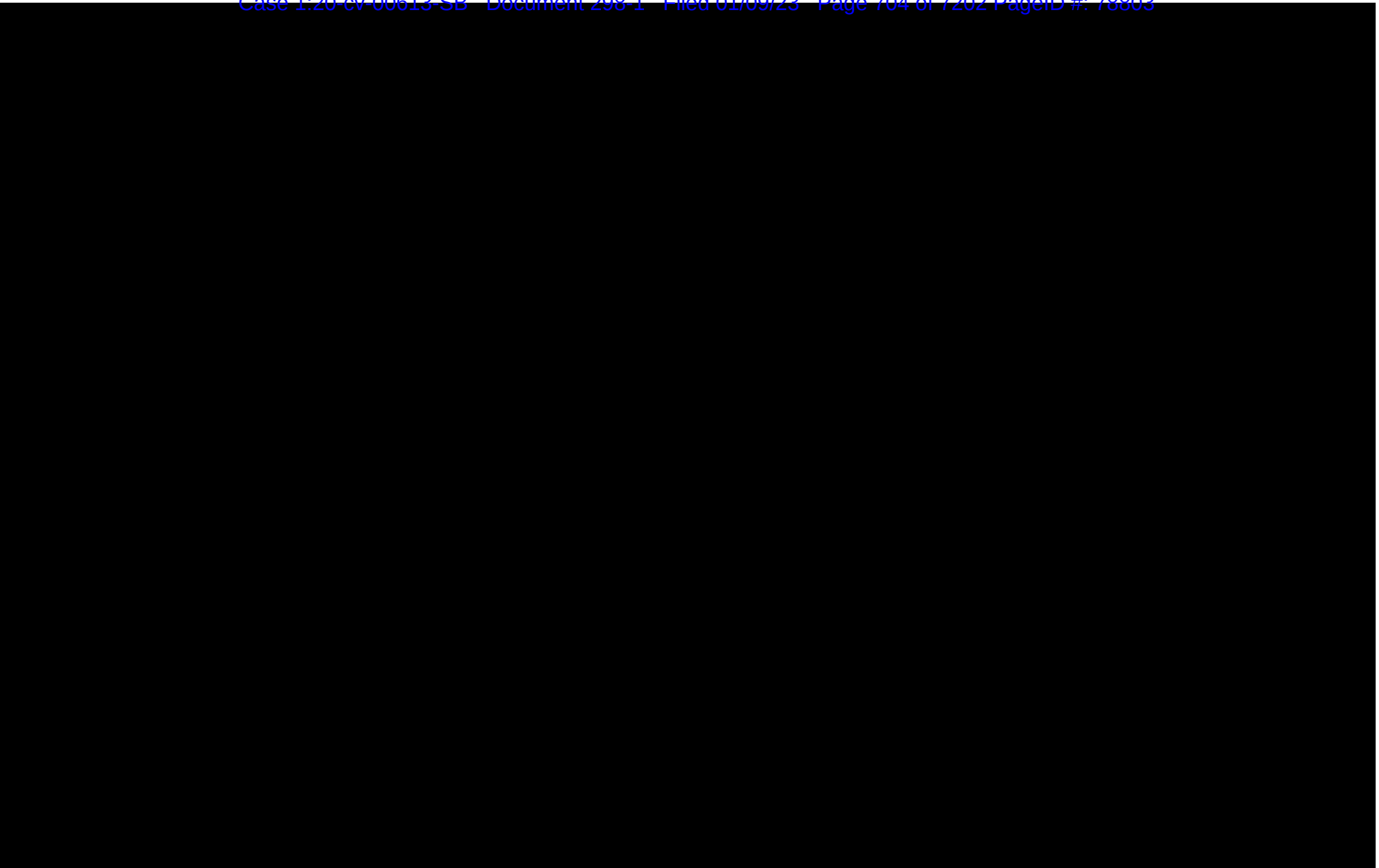


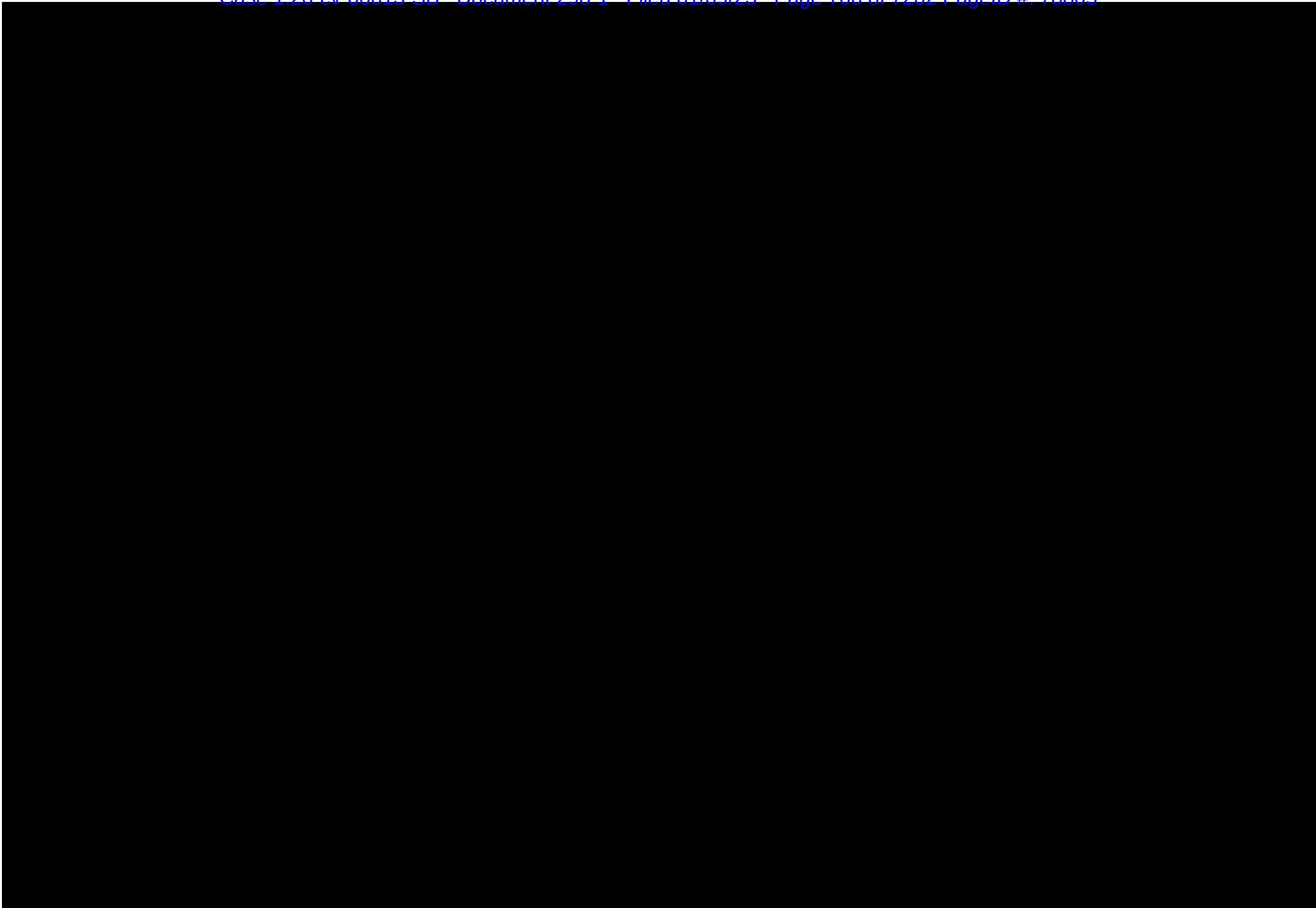


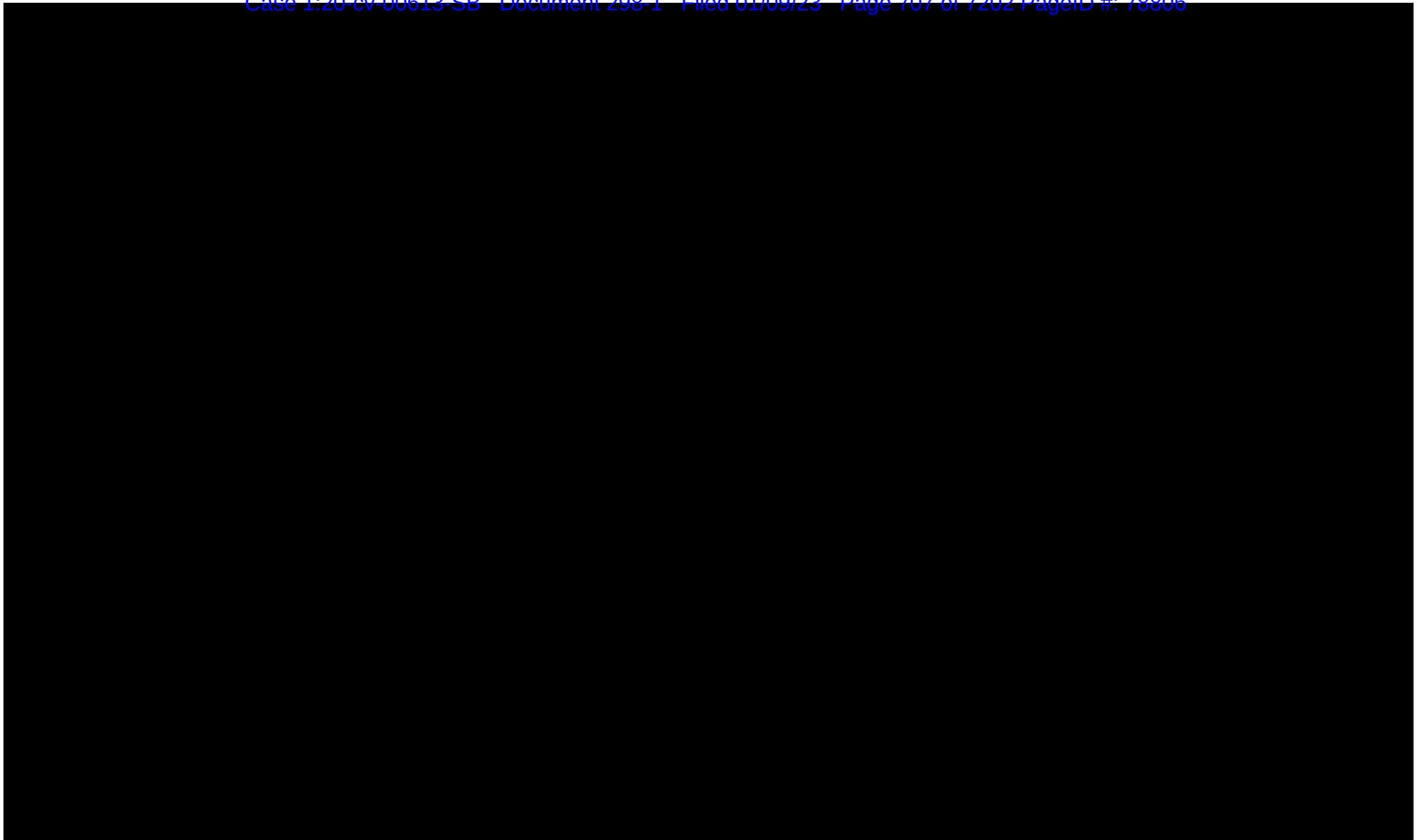


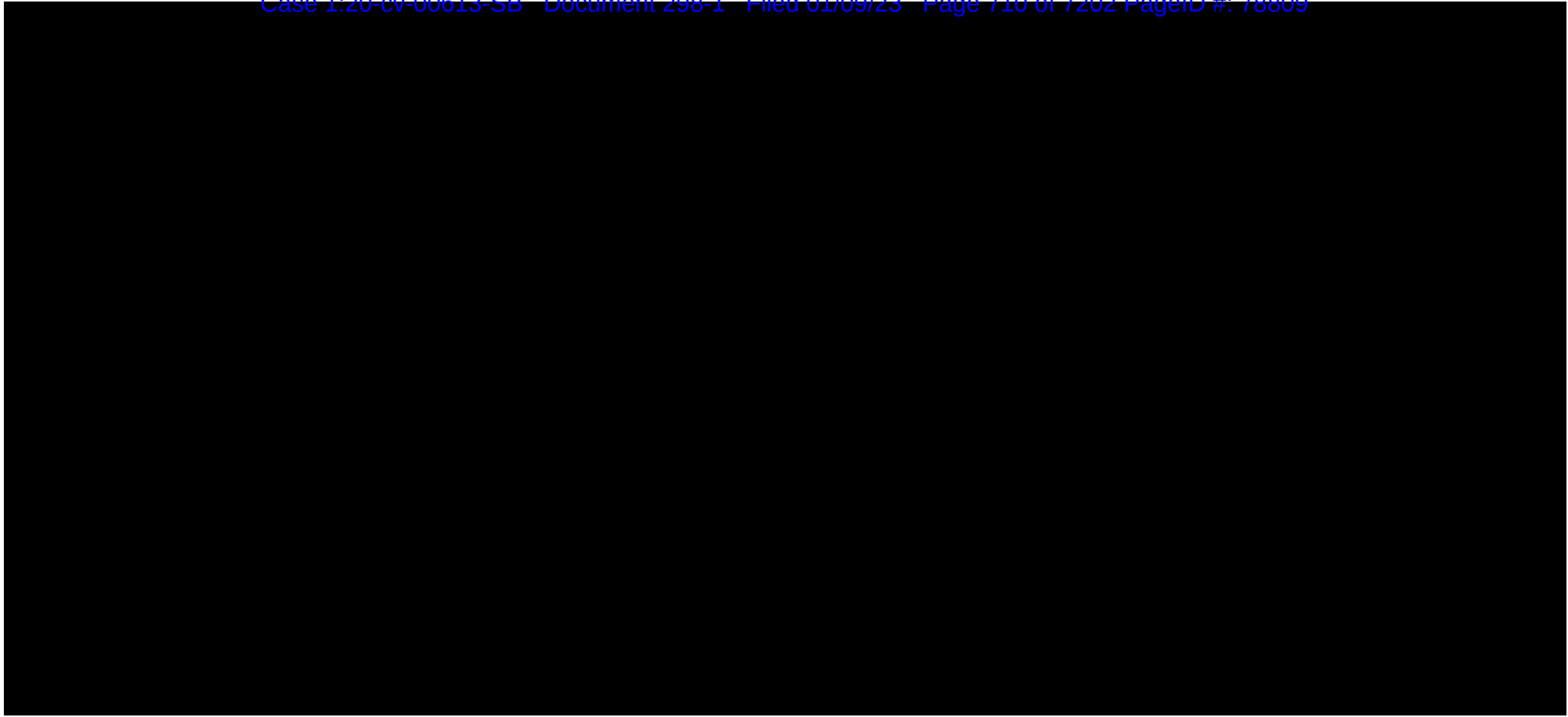


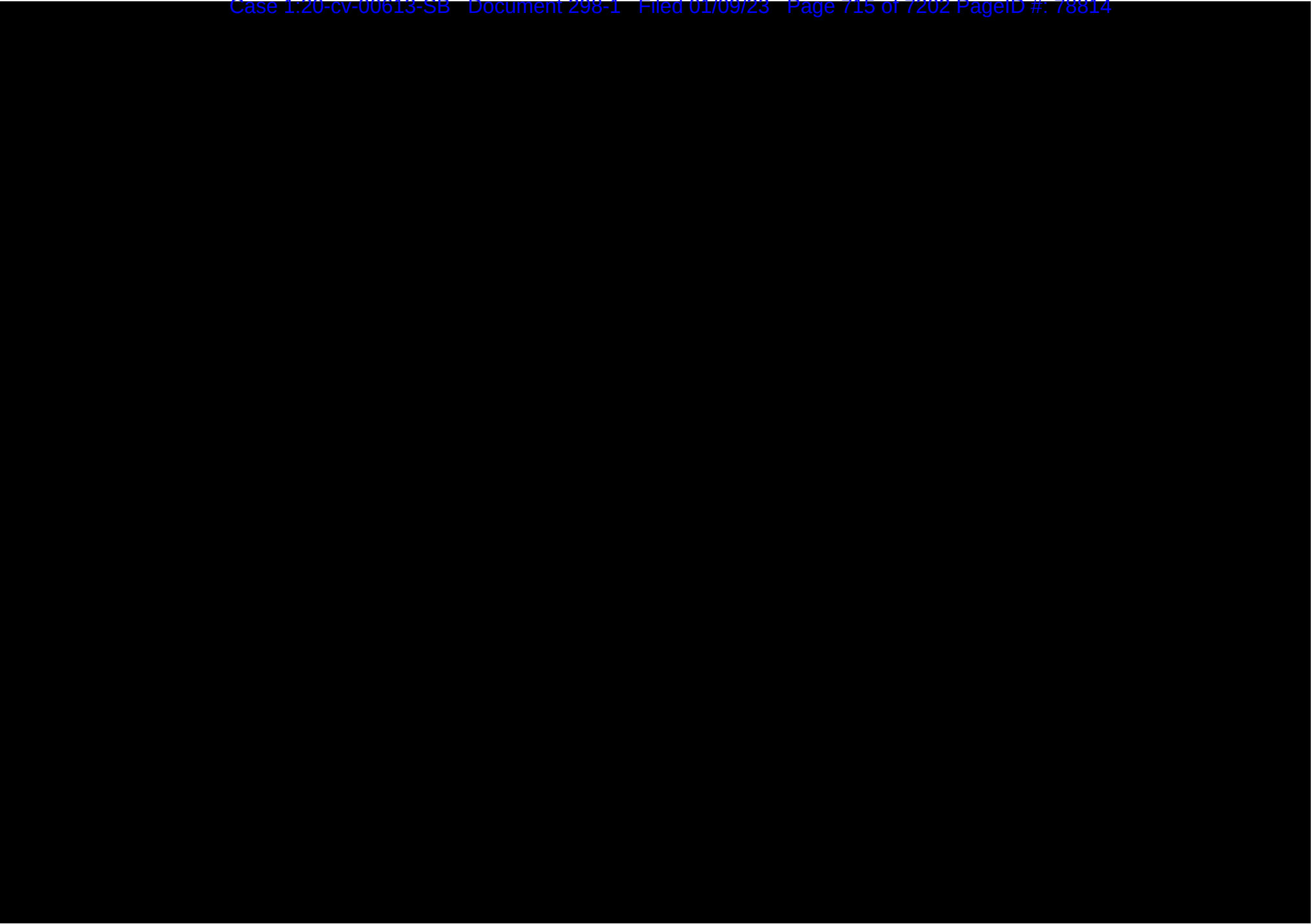


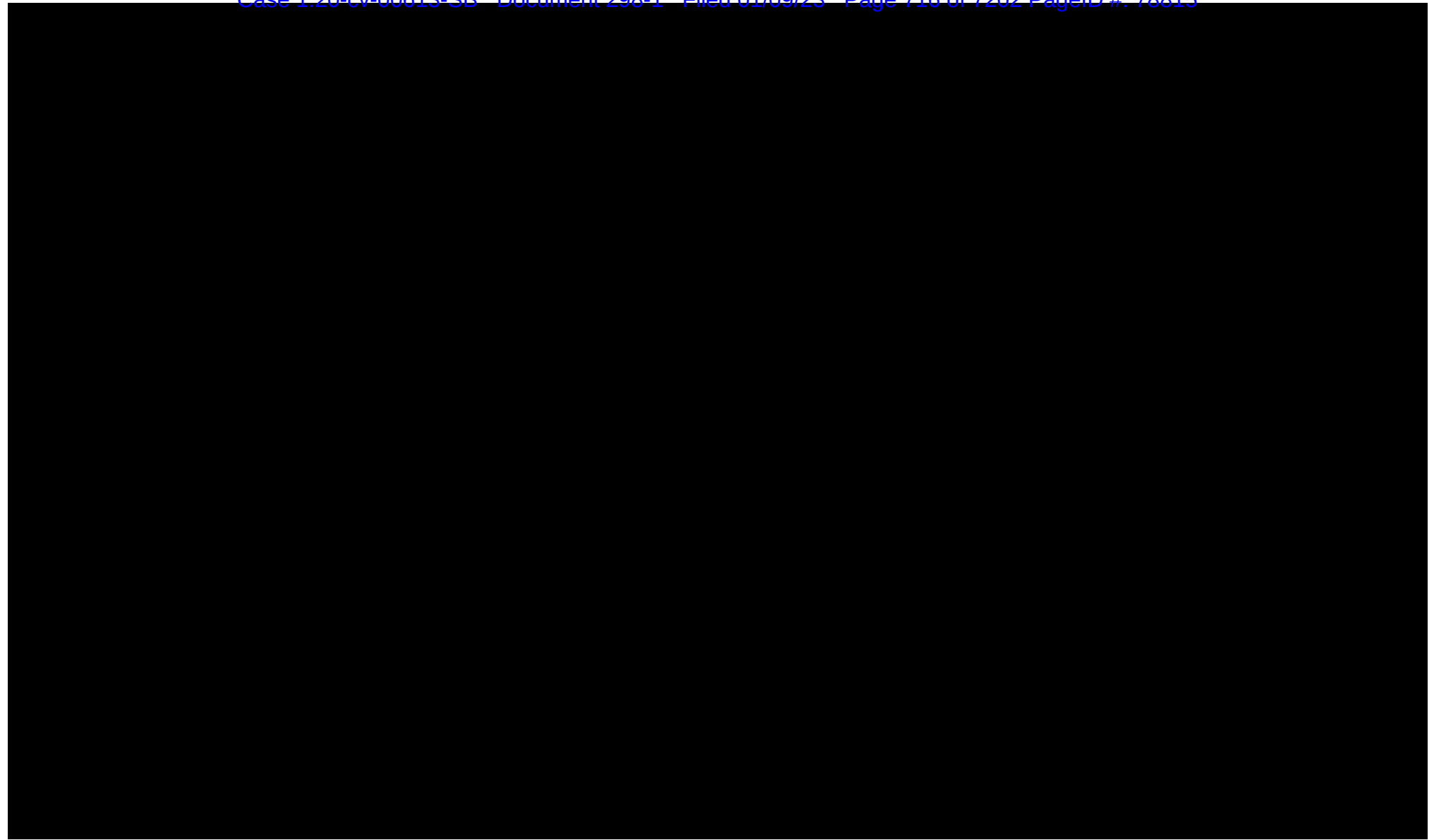


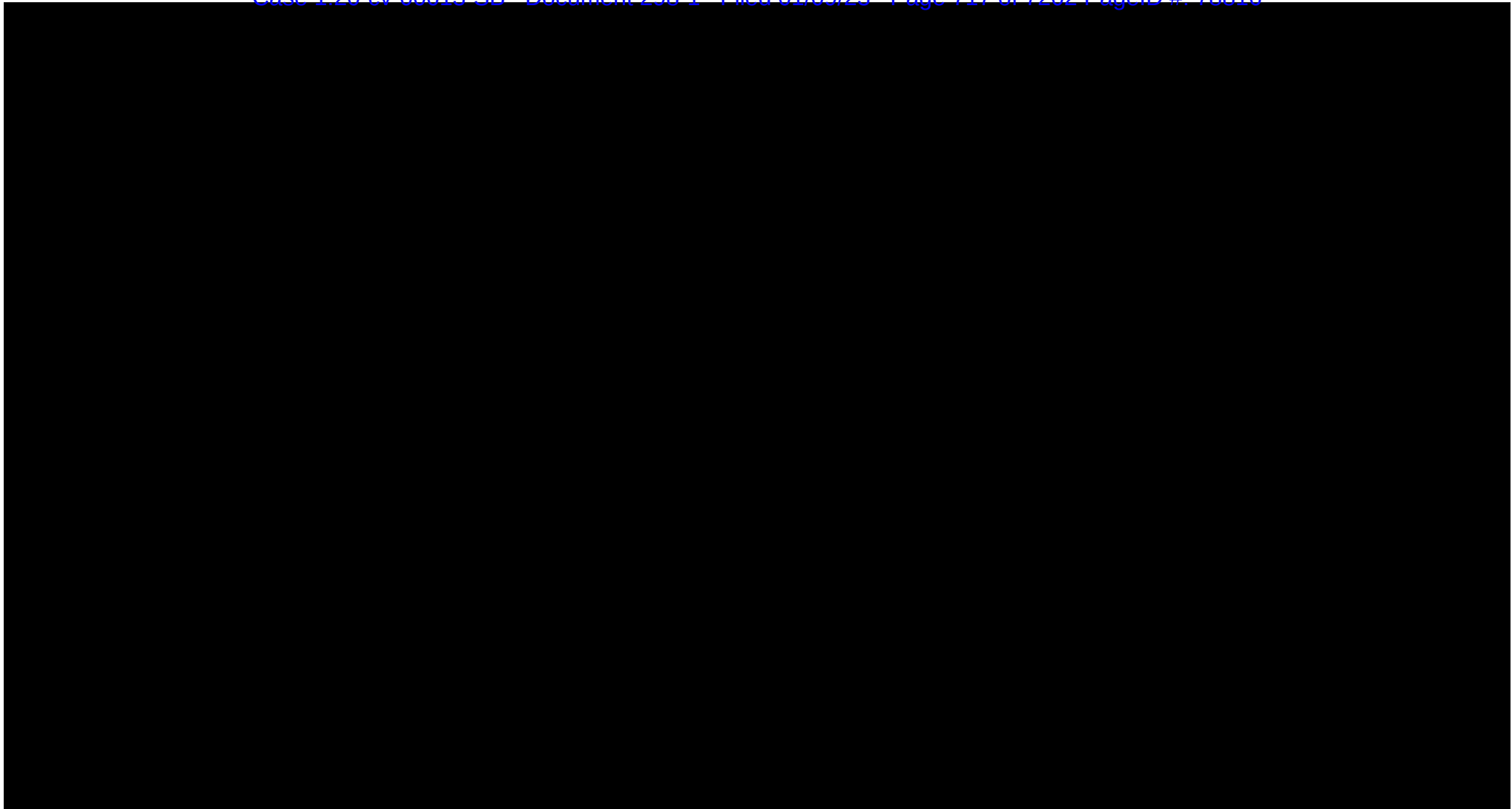


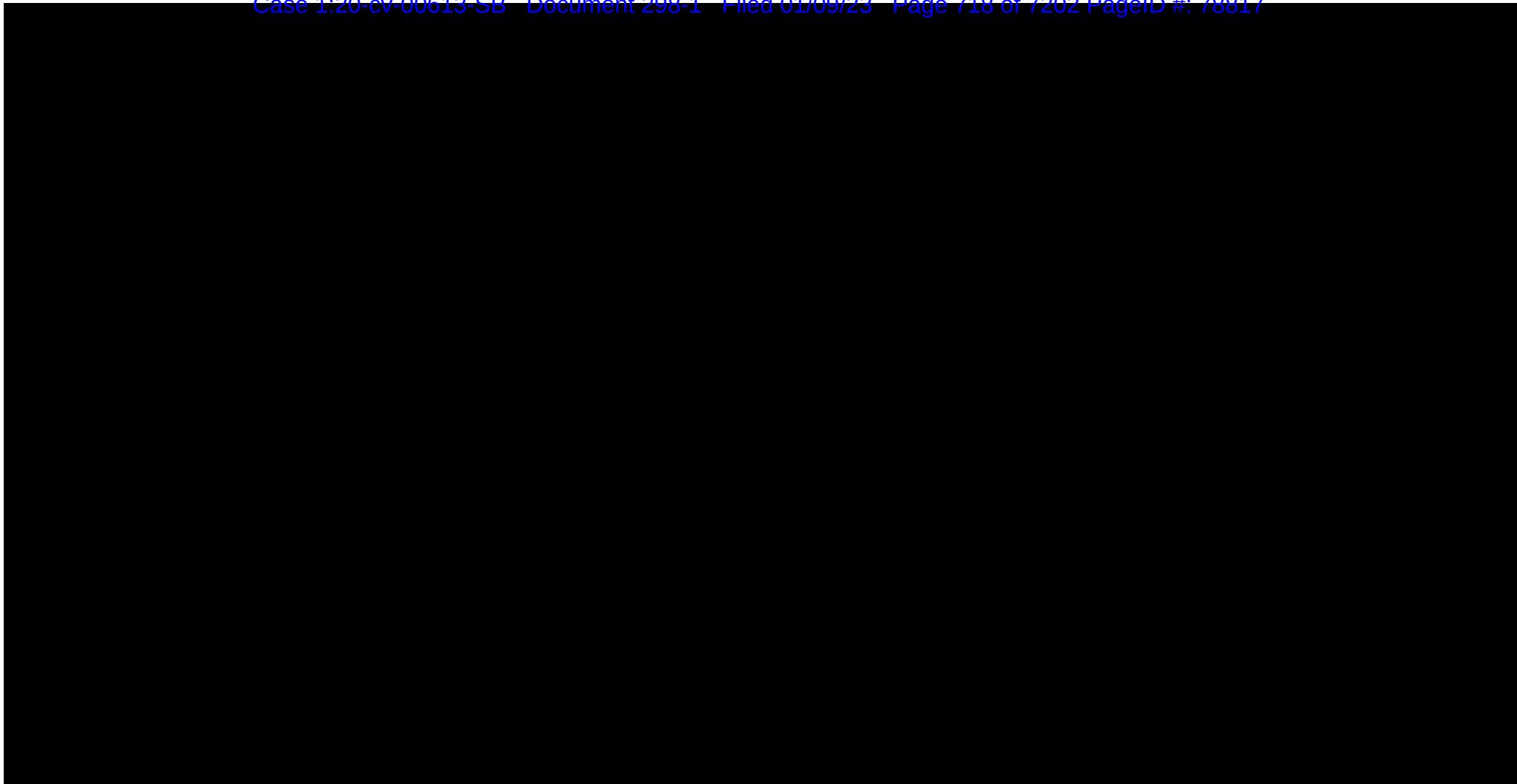






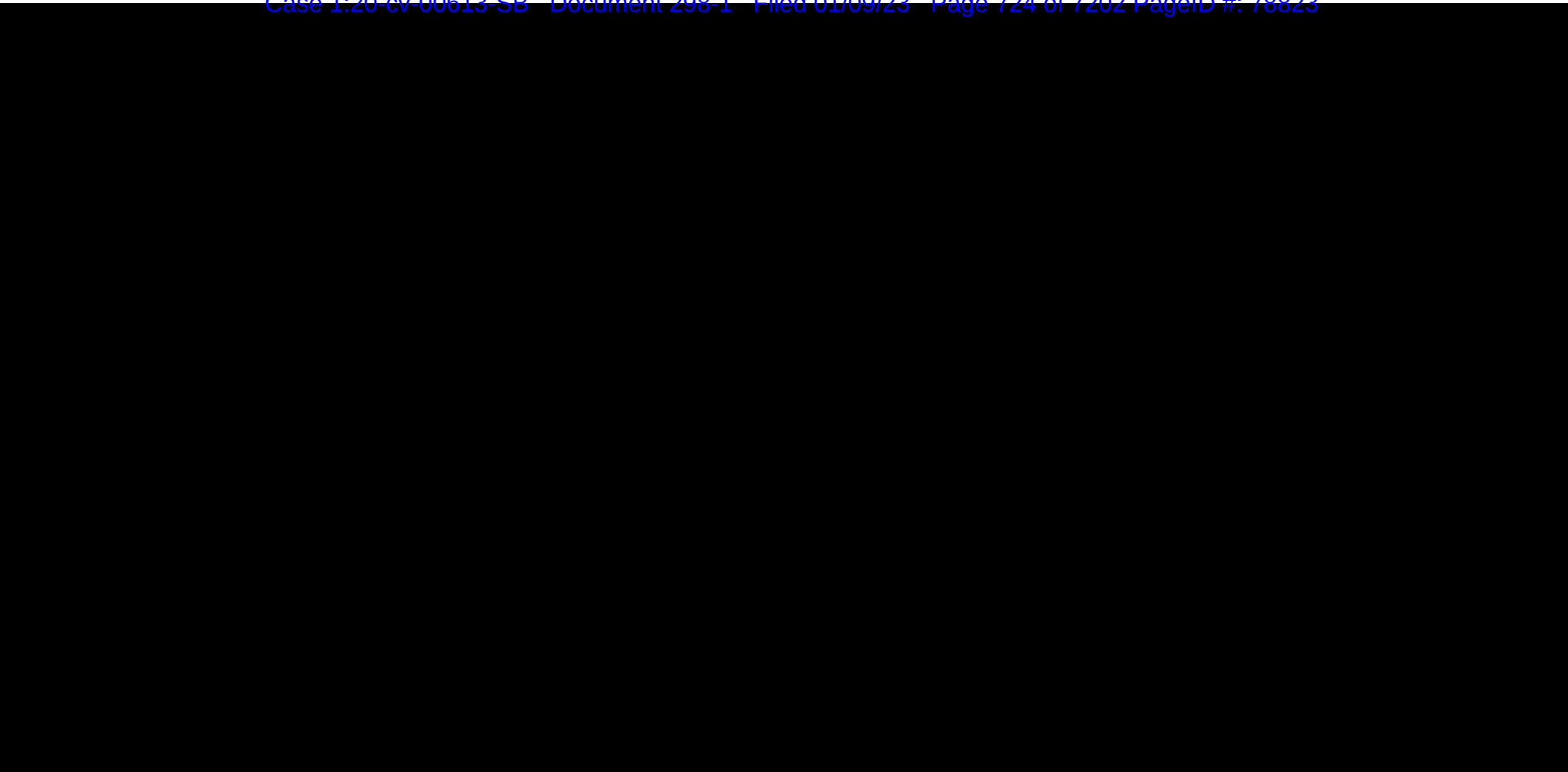


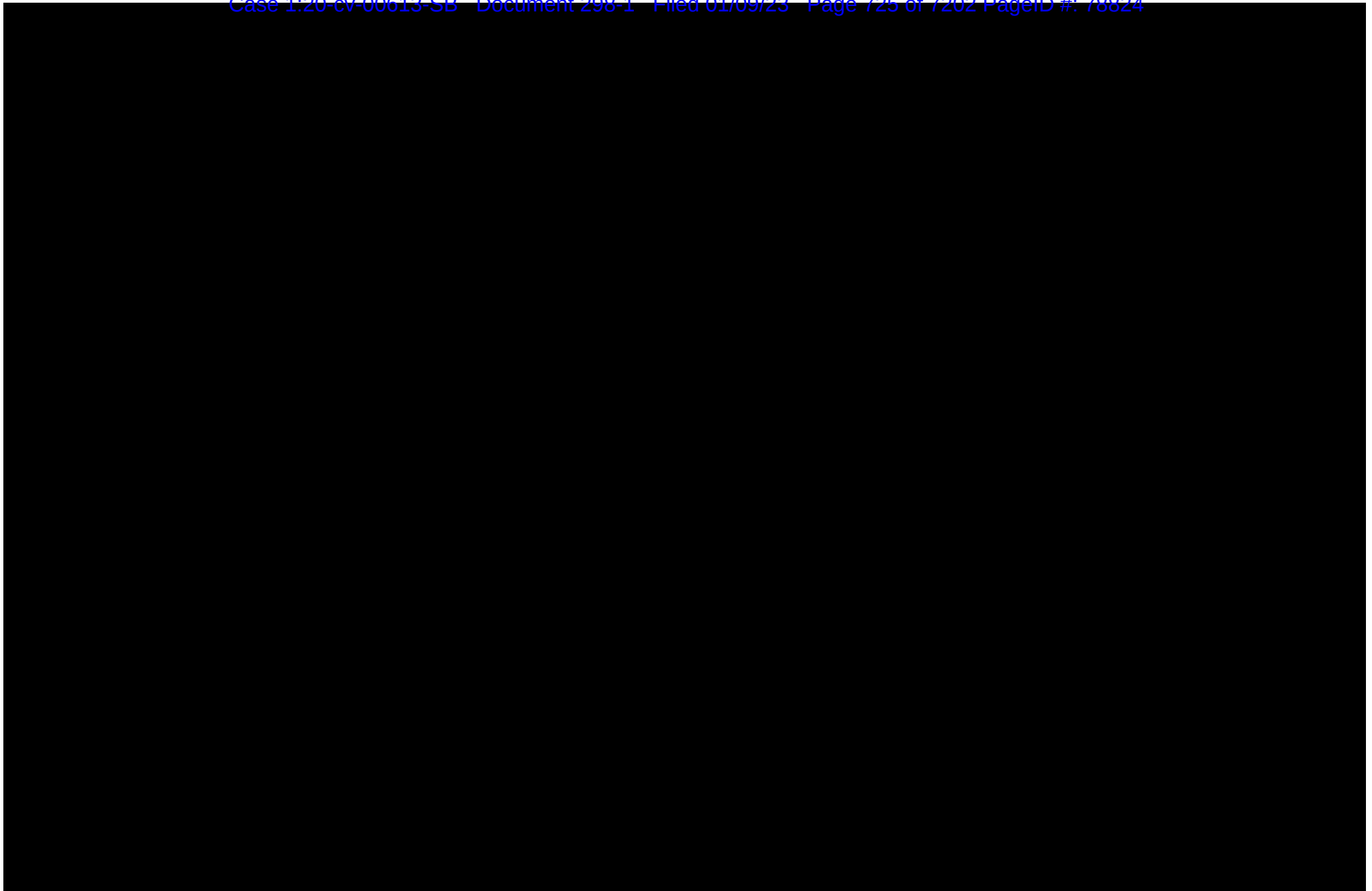


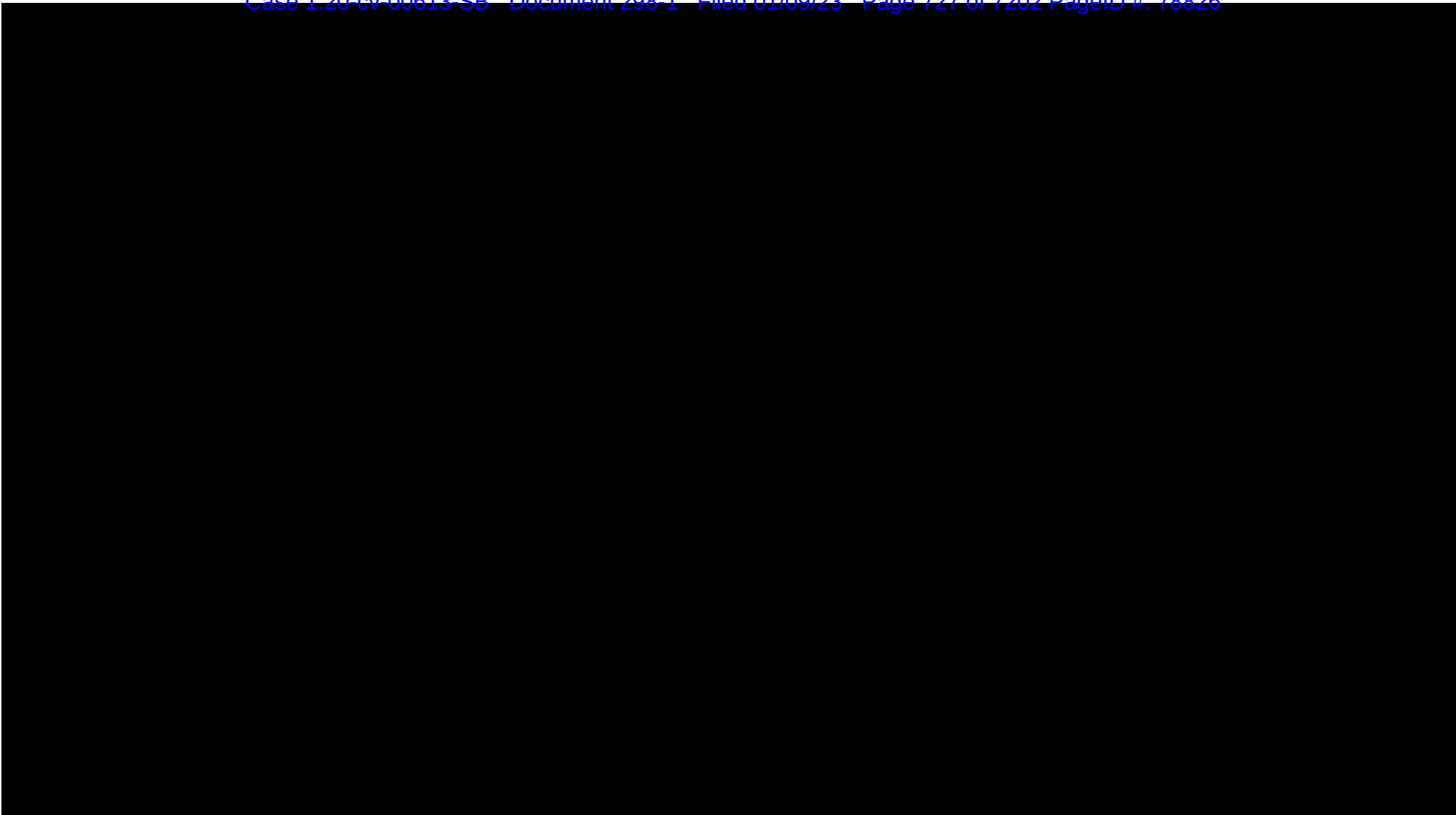


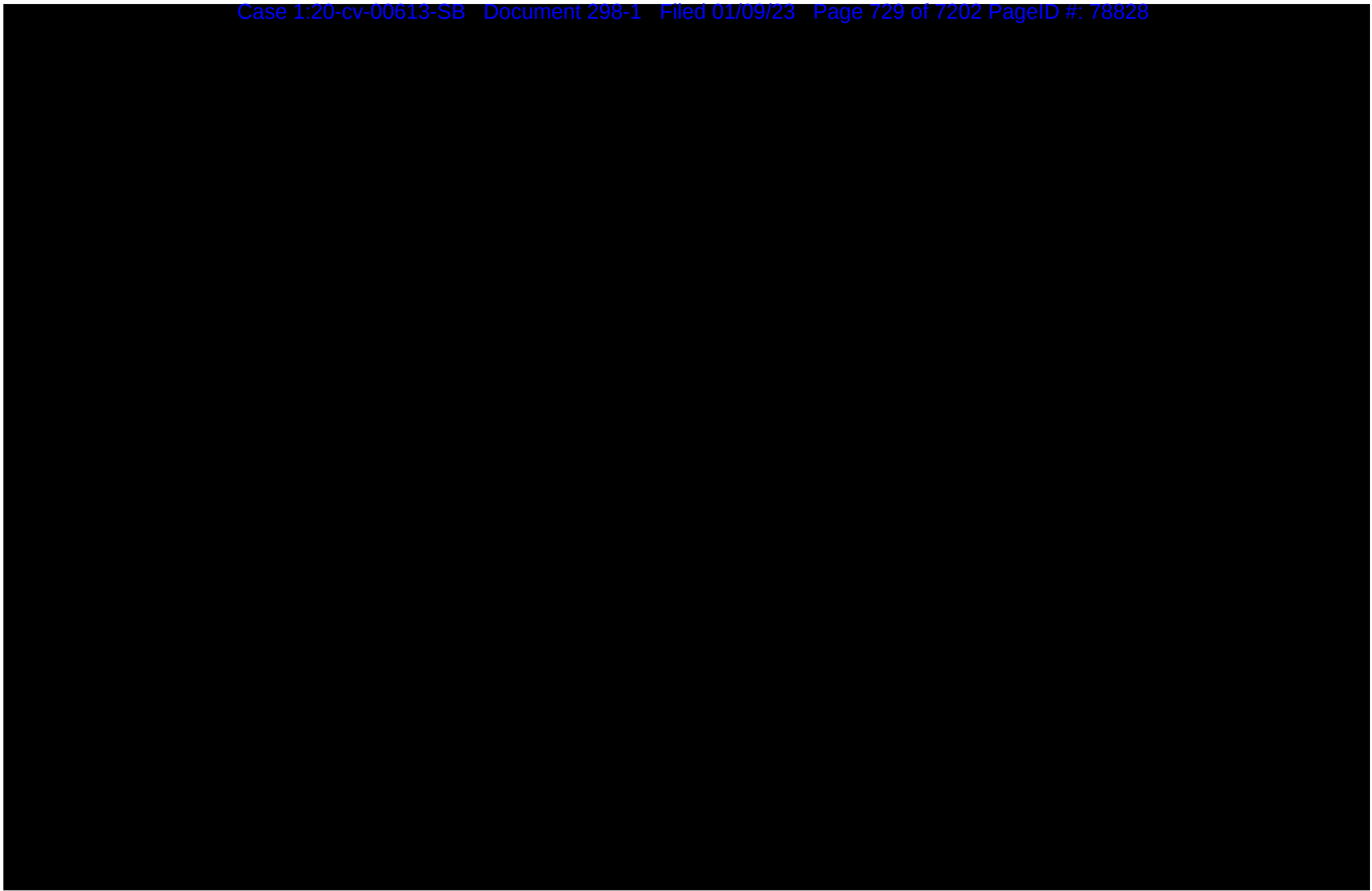
ID	Question	Headnote	Case Opinion	Question to Headnote Rank	Headnote to Case Opinion Rank	Question Bates #	Headnote Bates #	Case Opinion Bates #
9120	does the act of state doctrine barring suits against foreign governments or their officials require a case-by-case analysis of the extent to which separation of powers concerns are implicated, with respect to the conduct of foreign relations?	Application of "act of state" doctrine, barring suits against foreign governments or their officials, requires case-by-case analysis of extent to which separation of powers concerns are implicated, with respect to conduct of foreign relations, by action before the court.	The risk which the doctrine seeks to avoid is that the judiciary "in the task of passing on the validity of foreign acts of state may hinder rather than further this country's pursuit of goals both for itself and for the community of nations as a whole in the international sphere." Sabbatino, 376 U.S. at 423, 84 S.Ct. at 938. [2] Application of the act of state doctrine requires a case-by-case analysis of the extent to which separation of powers concerns are implicated by the action before the court, Texas Trading & Milling Corp. v. Federal Republic of Nigeria, 647 F.2d 300, 316 n.	1	3	ROSS-003297707	TR-0541288	TR-0541288
9121	is granting of pretrial motion on evidentiary issues an adjunct of trial court's inherent power to admit and exclude evidence?	Granting of pretrial motion on evidentiary issues is an adjunct of trial court's inherent power to admit and exclude evidence.	[1] [2] A motion in limine is addressed to the trial court's inherent power to admit or exclude evidence.	1	3	ROSS-003297710	TR-0762932	TR-0546604
9126	is a bill drawn by a person, payable to his own order, a bill of exchange?	A bill drawn by a person payable to his own order is a bill of exchange.	The act of the Louisiana General Assembly, of March 13th, 1827, section 1, provides:-'That all notaries, or persons acting as such, are authorized in their protests of bills of exchange, promissory notes, or orders for the payment of money, to make mention' (not of the presentment, but) 'of the demand made upon the drawer, acceptor, or person, on whom such order or bill of exchange is drawn or given; and of the manner and circumstances' (not of such presentment, but) 'of such demand; and whenever they shall have so done, a certified copy of such protest, &c., shall be evidence of all the matters therein stated.' In the case of the Louisiana Ins.	1	3	ROSS-003297720	TR-0661017	TR-0658705
9132	does a motion to dismiss brought in under statutory provision dealing with objections to a pleading test the legal sufficiency of the complaint?	Motion to dismiss brought under provision pertaining to motions with respect to pleadings challenge only the sufficiency of plaintiff's complaint. S.H.A. ch. 110, ¶ 2-615.	As defendant challenged the legal sufficiency of plaintiff's complaint, we construe that motion to dismiss as a section 2-615 motion. [1] [2] ¶ 18 A motion to dismiss brought under section 2-615 of the Code challenges the legal sufficiency of a complaint.	2	3	ROSS-003297734	TR-0675279	TR-0590477

ID	Question	Headnote	Case Opinion	Question to Headnote Rank	Headnote to Case Opinion Rank	Question Bates #	Headnote Bates #	Case Opinion Bates #
9134	are temporary takings protected by the constitution as are permanent ones?	To assert a Fifth Amendment takings claim, the plaintiff must establish a deprivation of a cognizable property interest; the length of deprivation may vary, because temporary takings are as protected by the Constitution as are permanent ones. U.S.C.A. Const.Amend. 5.	To assert a Fifth Amendment claim, the plaintiff must establish a deprivation of a "cognizable property interest." L.M. Everhart Const., Inc. v. Jefferson Cnty. Planning Comm'n, 2 F.3d 48, 51 (4th Cir.1993). The length of deprivation may vary, because "[i]t is well established that temporary takings are as protected by the Constitution as are permanent ones." See Lucas v.	2	3	ROSS-003297739	TR-0585263	TR-0585263
9140	can extraordinary delays give rise to takings liability?	Only extraordinary delays give rise to liability for regulatory takings. U.S. Const. Amend. 5.	[9] [10] The general rule that post-announcement delay does not ordinarily result in a taking, however, is not absolute, and the character of the government's delay may give rise to a taking claim under Penn Central. "Delay in the regulatory process cannot give rise to takings liability unless the delay is extraordinary" and "[i]f the delay is extraordinary, the question of temporary regulatory takings liability is to be determined using the Penn Central factors." Appolo Fuels v.	2	3	ROSS-003297751	TR-0578567	TR-0534941
9188	under the railway labor act, can an employee's action be settled by the administrative remedies prescribed by the act?	An action by railroad employees to determine their seniority rights may be brought either in a court, or settled by the administrative remedies prescribed by the Railway Labor Act. Railway Labor Act § 1 et seq. as amended, 45 U.S.C.A. § 151 et seq.	In view of the Supreme Court's clarifying language as to the intended scope of the Railway Labor Act, 45 U.S.C.A. § 151 et seq., we can definitely state that the employees' action may be brought, at their election, either in a court, or settled by the administrative remedies prescribed by said Act. The judgment is Reversed.	2	3	ROSS-003297861	TR-0580619	TR-0580619
9192	when does the advice of counsel defense apply to a malicious prosecution claim?	For the advice of counsel defense to apply to a malicious prosecution claim, the allegations upon which the advising counsel acted must be truthful and complete.	They cite no cases in the context of juvenile proceedings to support this argument but contend that the advice-of-counsel defense, as applied in malicious-prosecution and criminal cases, should apply here. In malicious-prosecution cases, the advice-of-counsel defense applies if the parties have made a full disclosure of all relevant facts to competent counsel and have acted *241 in bona fide reliance thereon.	2	3	ROSS-003297869	TR-0869064	TR-0565402



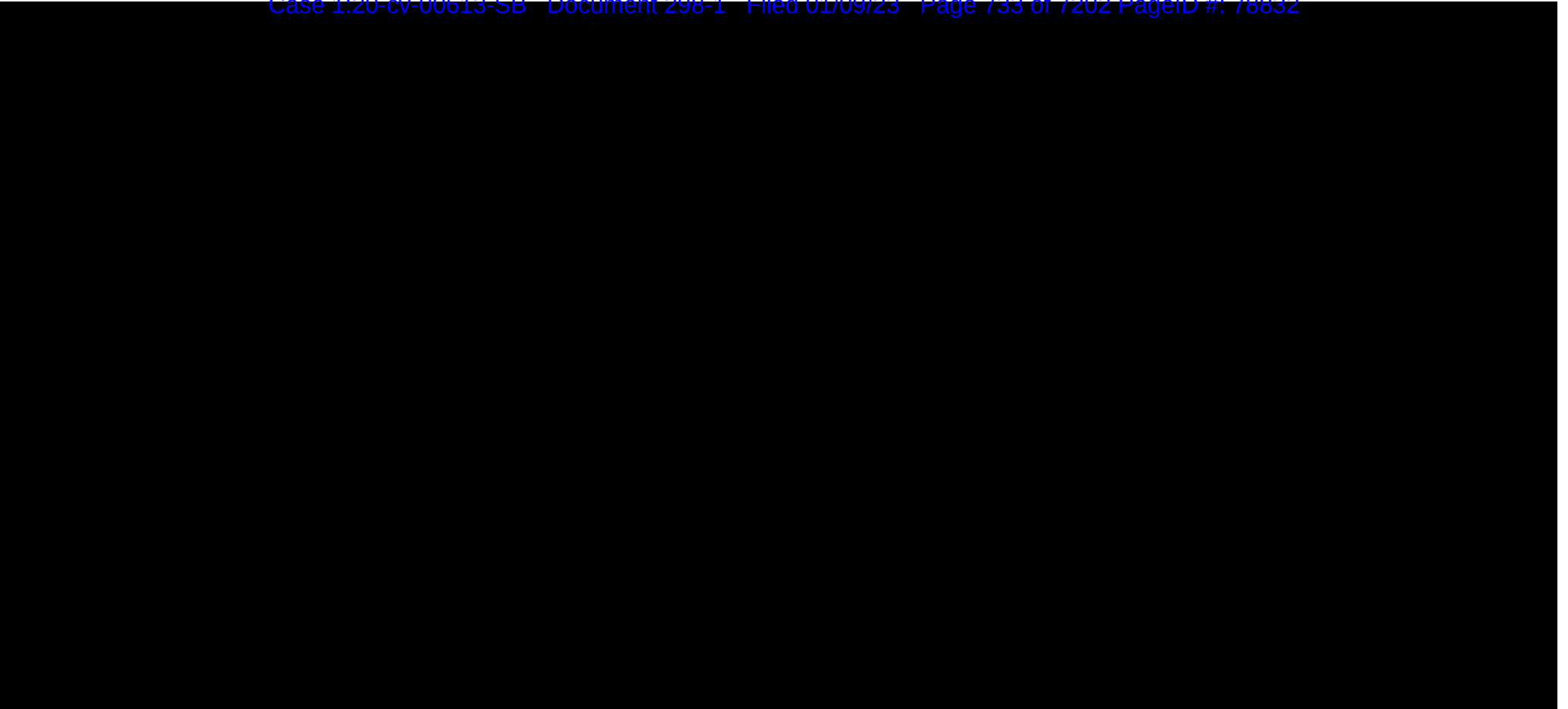


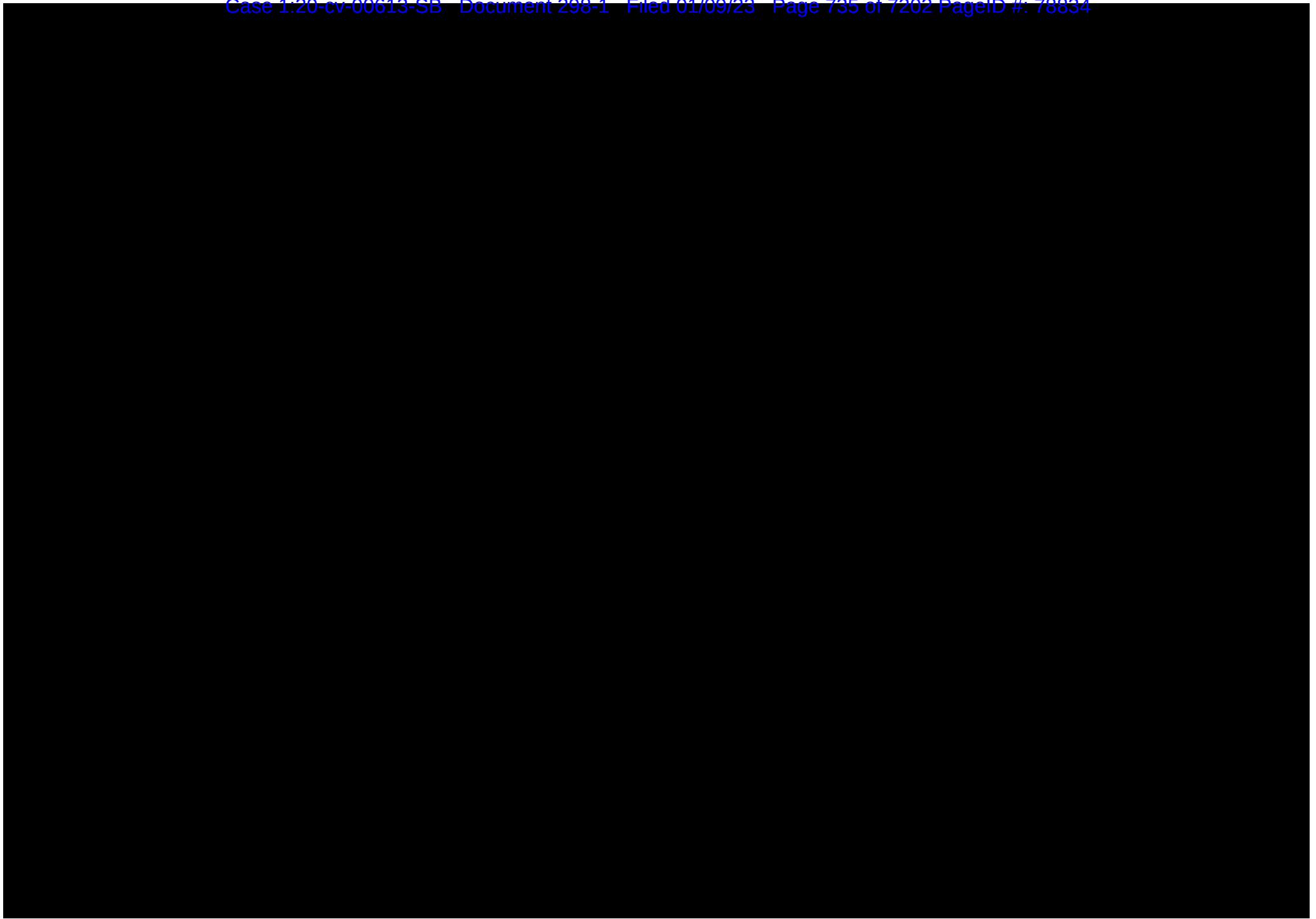


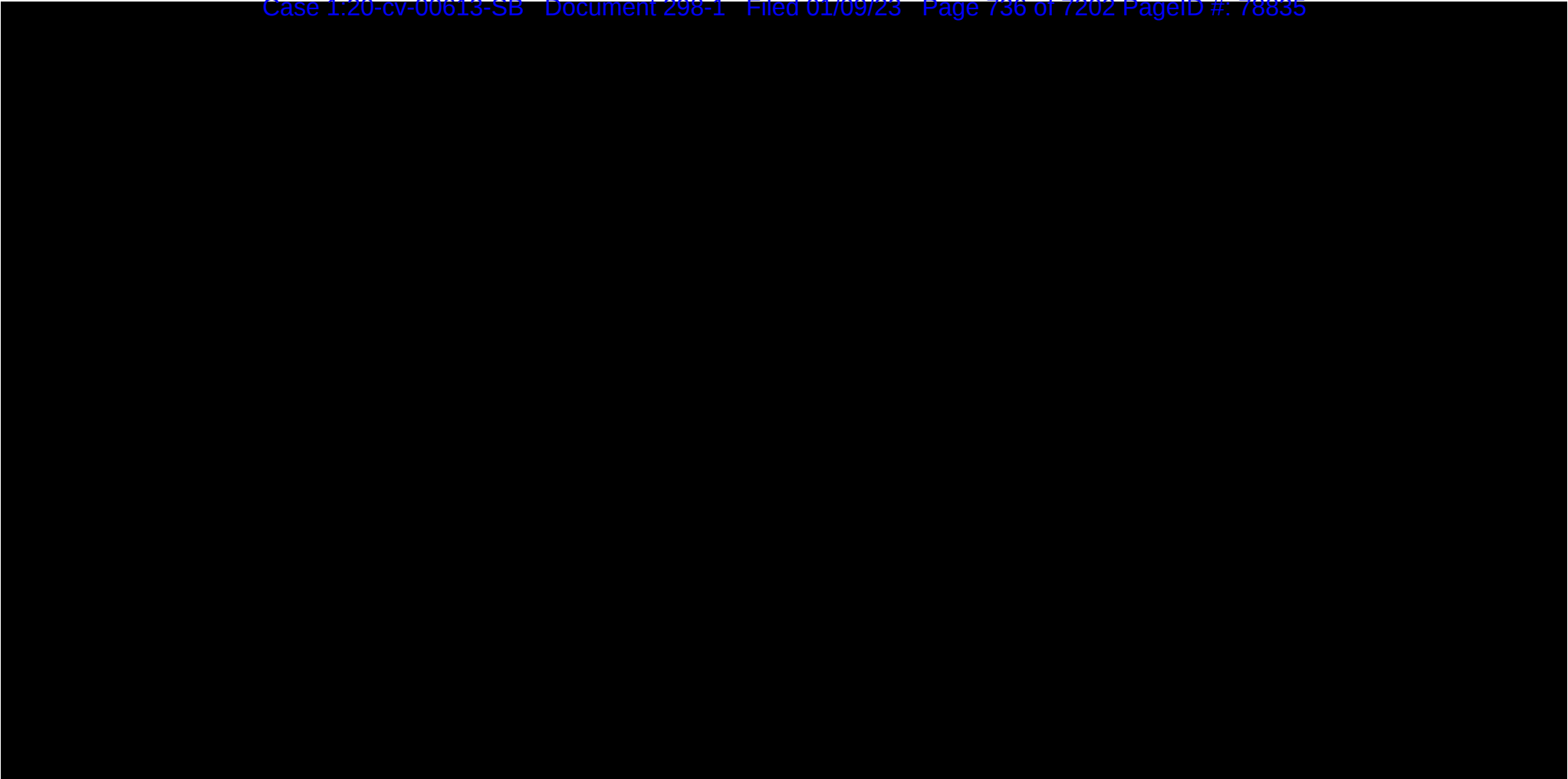


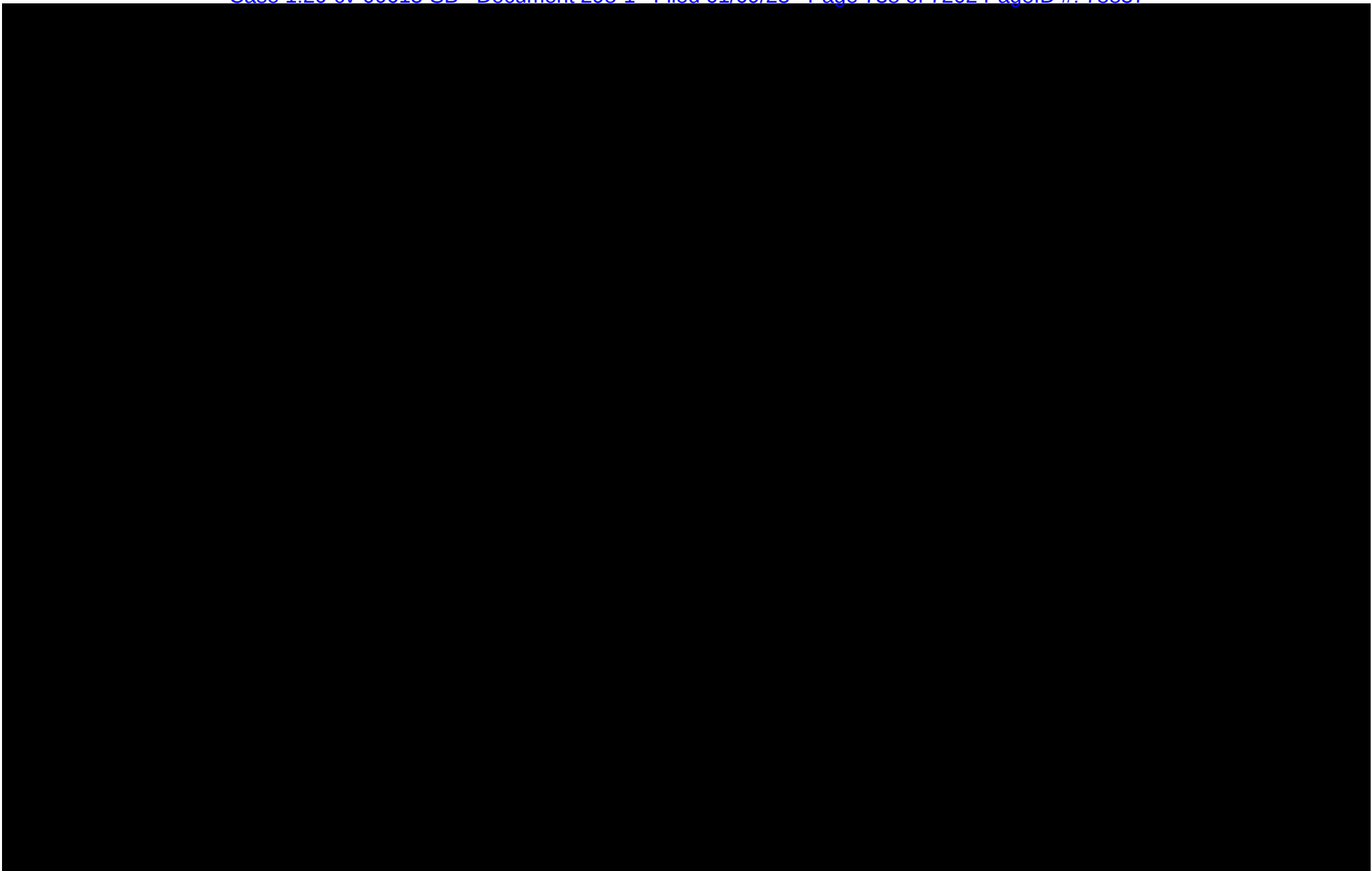
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9523	do courts recognize equitable subrogation?	Texas courts are hospitable to the doctrine of equitable subrogation.	Further, standing frequently becomes an issue in the context of equitable subrogation. According to the Texas Supreme Court, "[t]he doctrine of equitable subrogation allows a party who would otherwise lack standing to step into the shoes of and pursue the claims belonging to a party with standing." Frymire Eng'g Co.	2	3	ROSS-003298609	TR-0775797	TR-0740327
9533	is the question, on a motion for involuntary dismissal based upon certain defects or defenses, whether the existence of a genuine issue of material fact precludes a dismissal?	The question, on a motion for involuntary dismissal based upon certain defects or defenses, is whether the existence of a genuine issue of material fact precludes a dismissal or, absent such an issue of fact, whether a dismissal is proper as a matter of law. S.H.A. 735 ILCS 5/2-619.	When ruling on such a motion, the court must construe the pleadings and supporting documents in the light most favorable to the nonmoving party. Van Meter, 207 Ill.2d at 367-68, 278 Ill.Dec. 555, 799 N.E.2d 273. On appeal from a section 2-619 motion, the reviewing court "must consider whether the existence of a genuine issue of material fact should have precluded the dismissal or, absent such an issue of fact, whether dismissal is proper as a matter of law." Kedzie & 103rd Currency Exchange, Inc.	1	3	ROSS-003298635	TR-0664833	TR-0616592
9536	is acceptance required to establish a bailment?	Whether there has been a dedication and whether there has been acceptance, as required to establish existence of public easement, are questions of fact.	Whether there has been a dedication and whether there has been an acceptance present questions of fact. ... Likewise, the determination of the extent to which there has been an acceptance of a street involves a question of fact." (Internal quotation marks omitted.) Id., at 556-57, 945 A.2d 1017.	2	3	ROSS-003298641	TR-0563474	TR-0774254
9547	when reviewing a motion to dismiss for failure to state cause of action, can the court freely consider affidavits submitted by the petitioner to remedy any defects in the petition?	On review of a motion to dismiss for failure to state a cause of action, the Court of Appeals disregards all conclusions in a petition when they are not supported by facts.	724, 729, 533 N.E.2d 806, 811.) In ruling on a motion to dismiss for failure to state a cause of action, a court must accept as true all well-pleaded factual matters in the complaint and all reasonable inferences that may be drawn therefrom, but need not accept conclusions of law, argumentative matter, or conclusions of fact unsupported by allegations of specific facts upon which such conclusions rest.	2	3	ROSS-003298664	TR-0580964	TR-0560820

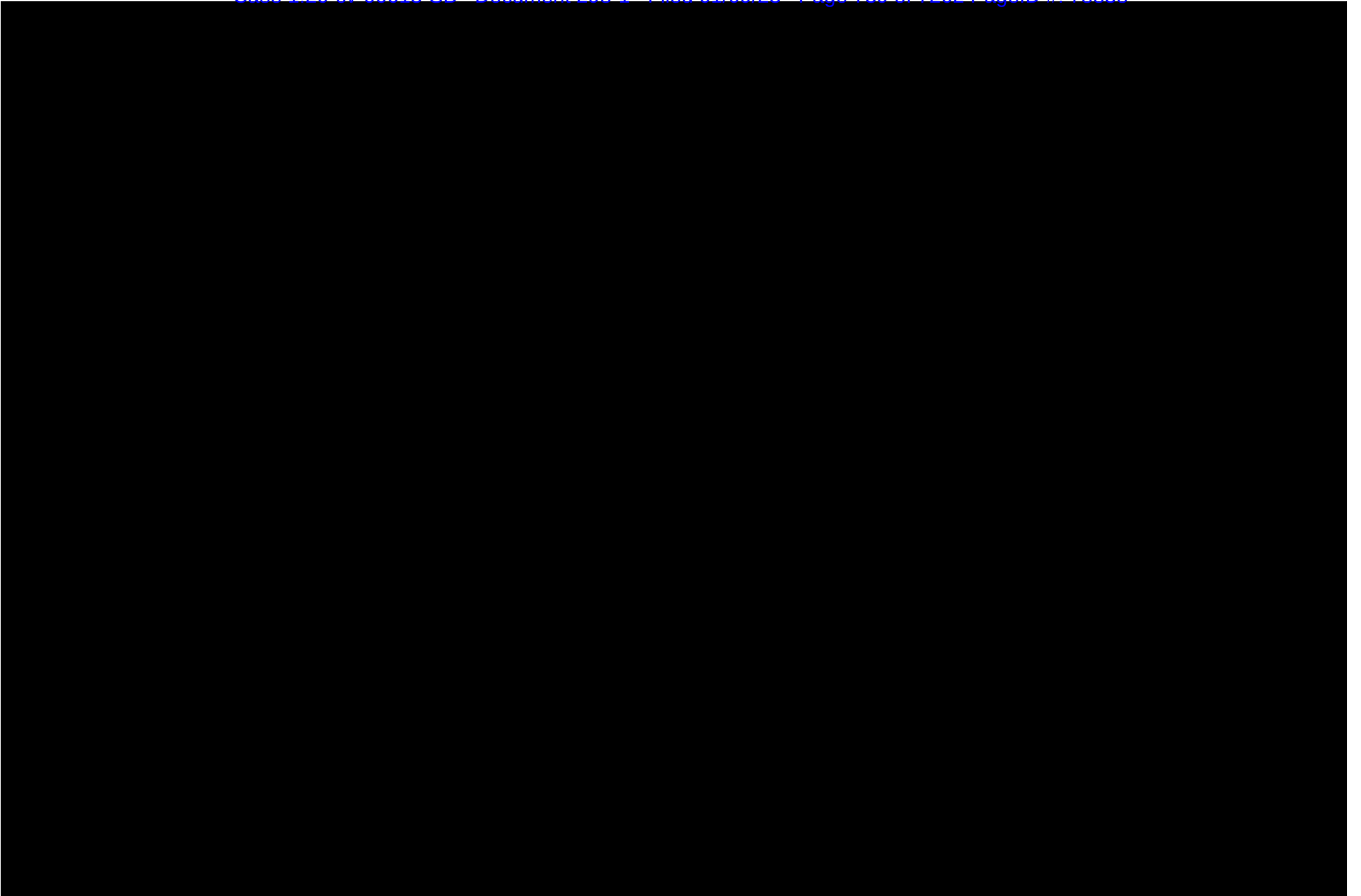
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9549	is it the act by which duty is breached, and not ensuing damages, which gives rise to cause of action?	It is act by which duty is breached and not ensuing damages which gives rise to cause of action, and cause of action whether in tort or contract accrues upon breach of duty owed by one to another.	The North Carolina Supreme Court has explicitly held that a cause of action, whether in tort or contract, accrues upon the breach of a duty owed by one to another. It is the act by which the duty is breached and not the *241 ensuing damages which give birth to a cause of action. 'It is well settled that in an action for damages, resulting from negligent breach of duty, the statute of limitations begins to run from the breach, from the wrongful act or omission complained of, without regard to the time when the harmful consequences were discovered.' Shearin v.	1	3	ROSS-003298668	TR-0547458	TR-0547458
9565	do the facial allegations in the complaint limit and guide the court's analysis of when a cause of action accrues?	Facial allegations in complaint limit and guide court's analysis of when cause of action accrues.	[5] The one consensus emerging from this analysis is that it is fact-specific, and concerns an issue about which courts disagree. When deciding whether a claim falls within the scope of an arbitration agreement, courts "focus on factual allegations in the complaint rather than the legal causes of action asserted".	1	3	ROSS-003298702	TR-0595504	TR-0745512
9576	how is probable cause in the context of malicious prosecution evaluated?	Malice, in the context of malicious prosecution, may be inferred from a lack of probable cause, but a lack of probable cause cannot be inferred from malice.	Malice in a malicious prosecution claim is only considered when there is a lack of probable cause, but it is not when there was probable cause. 36 In other words, the existence of probable cause trumps any consideration of malice, even if malice were present.	2	3	ROSS-003298725	TR-0548537	TR-0538993

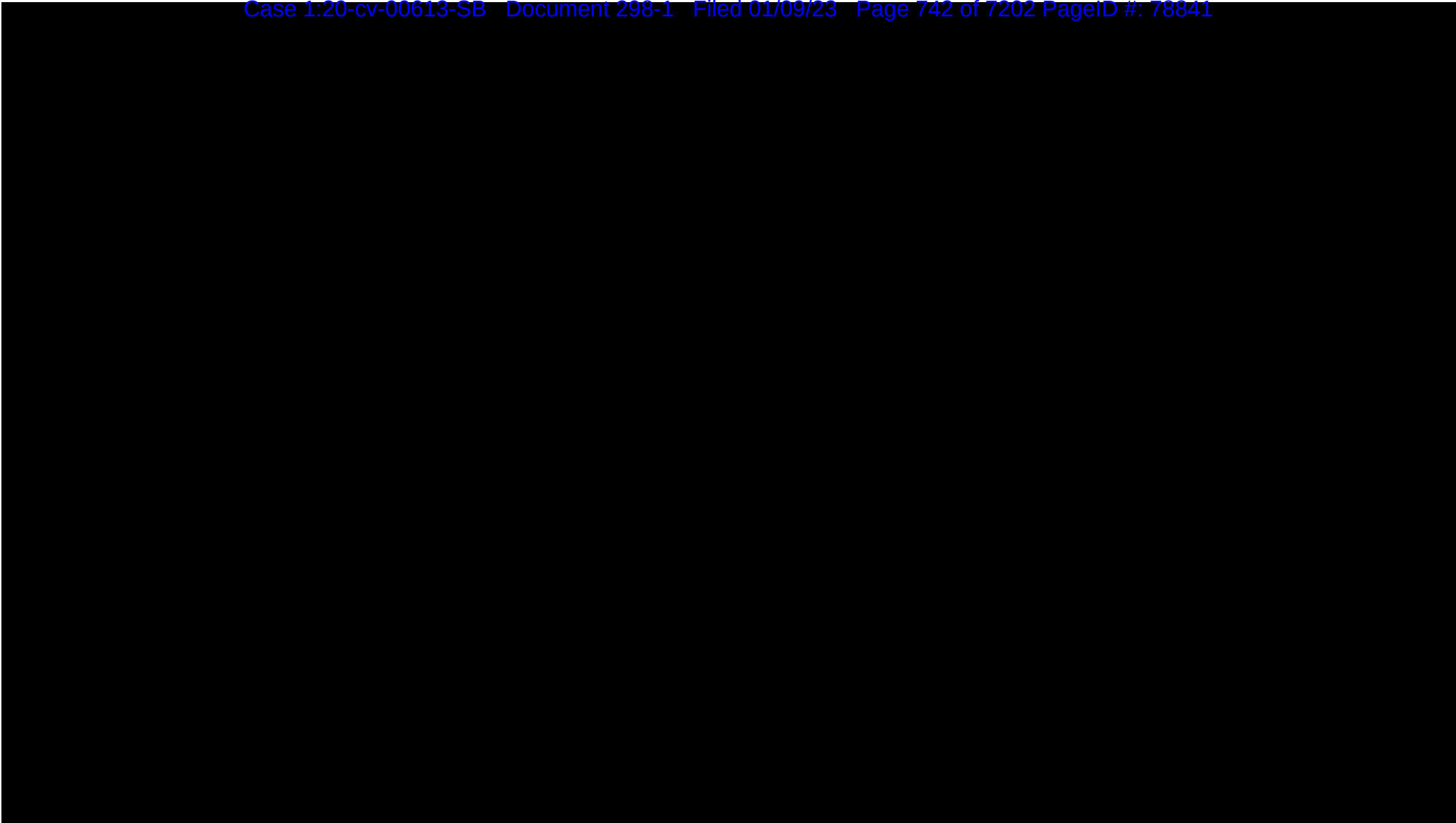


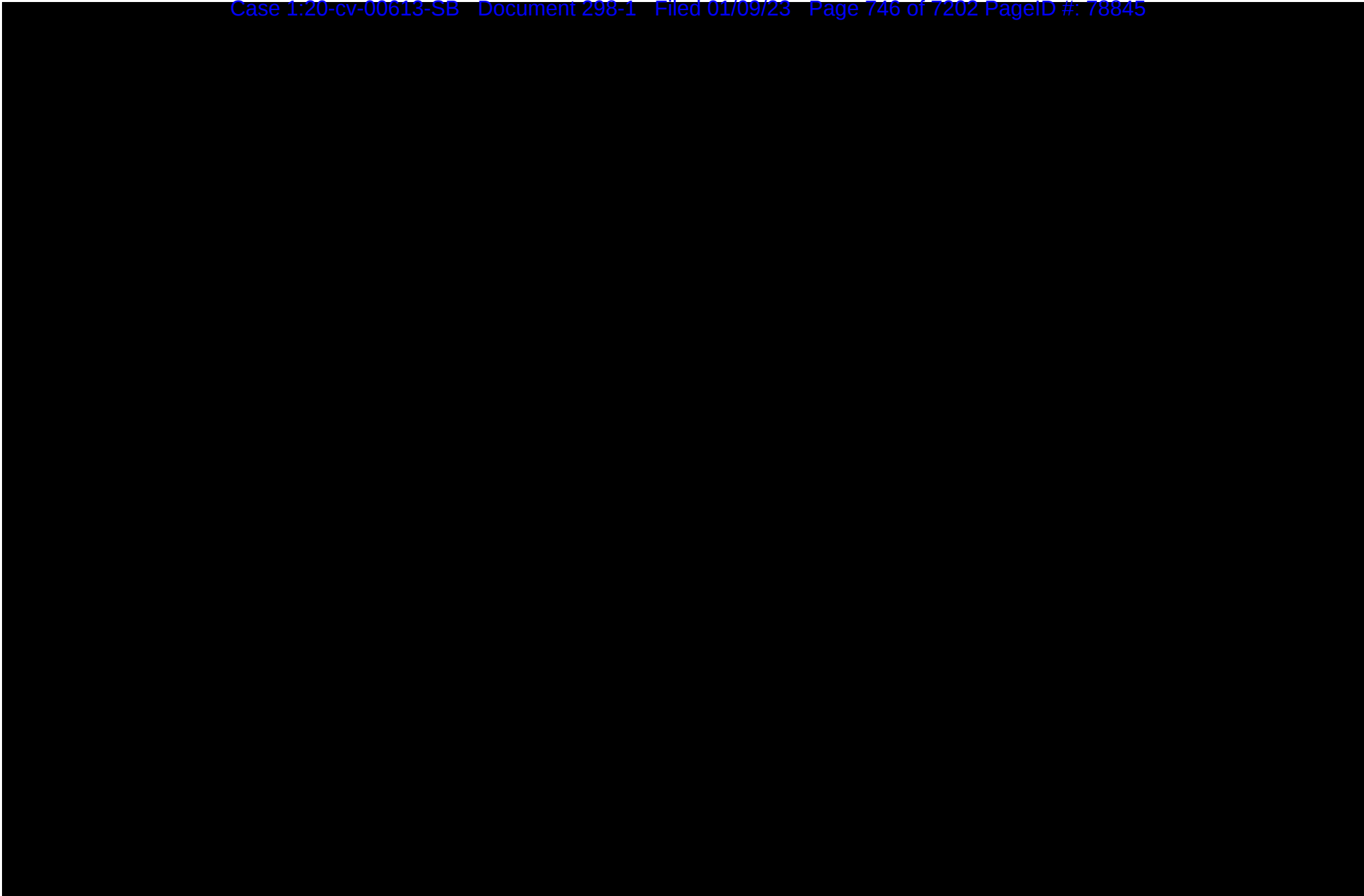


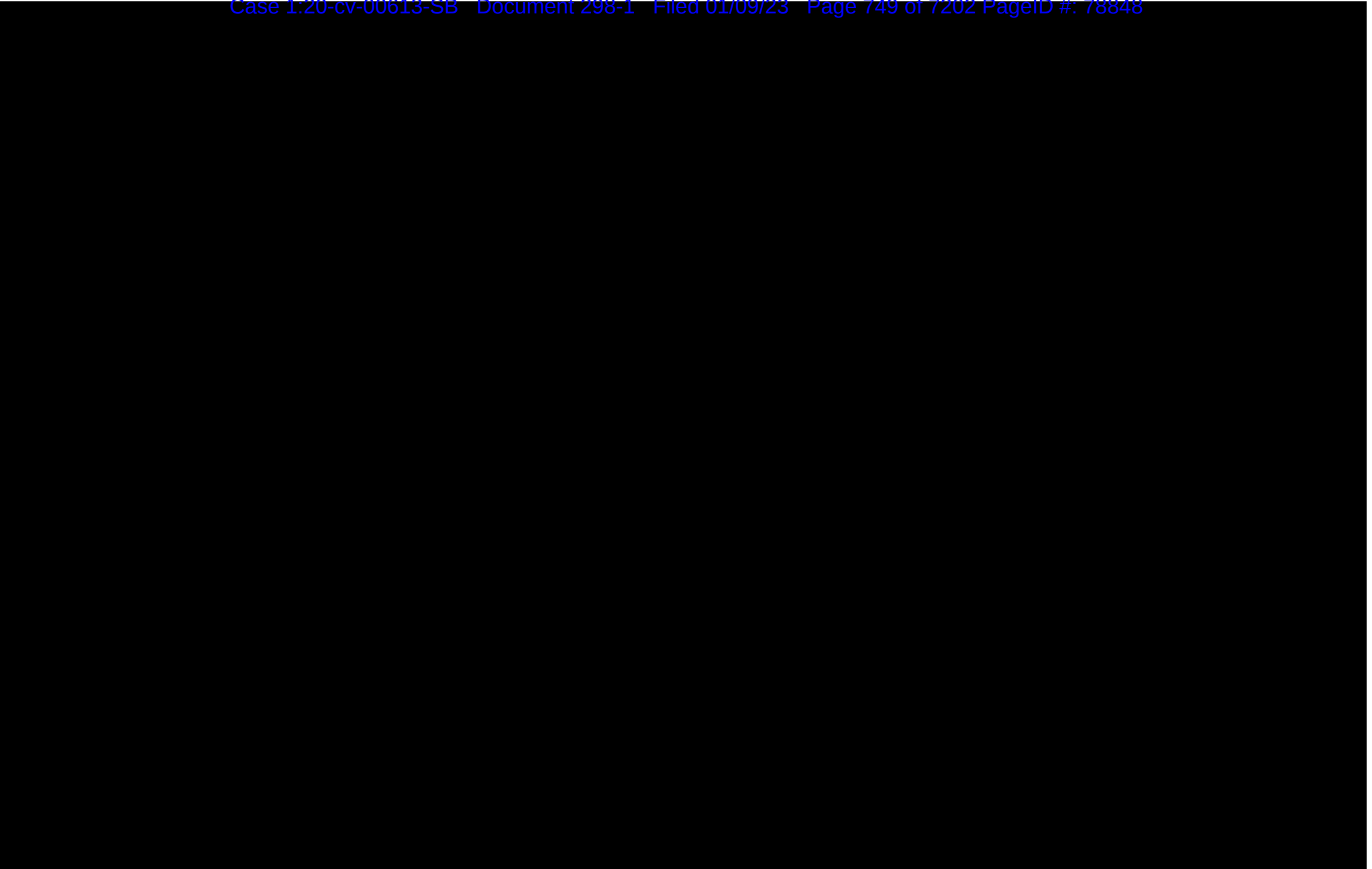


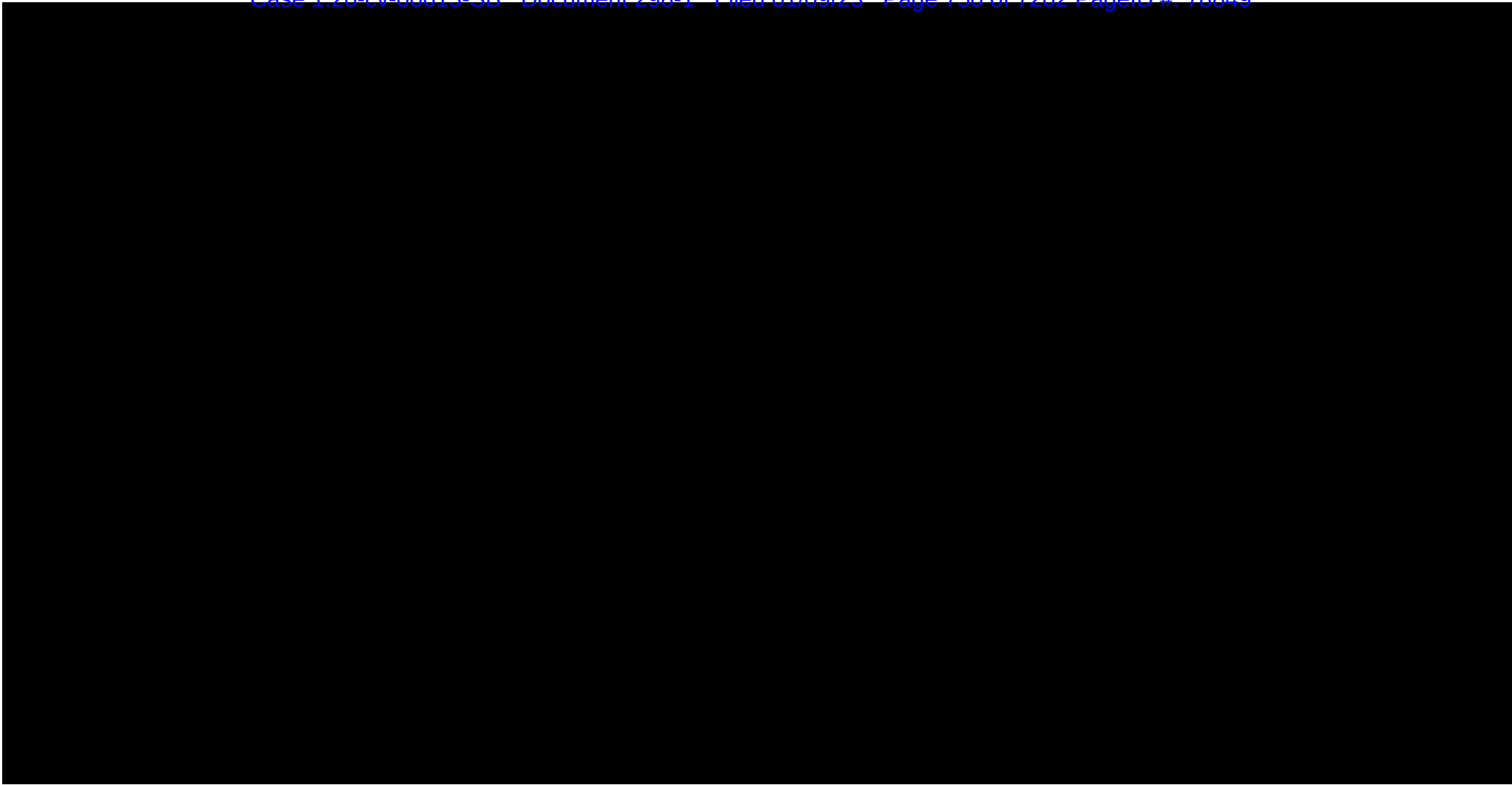


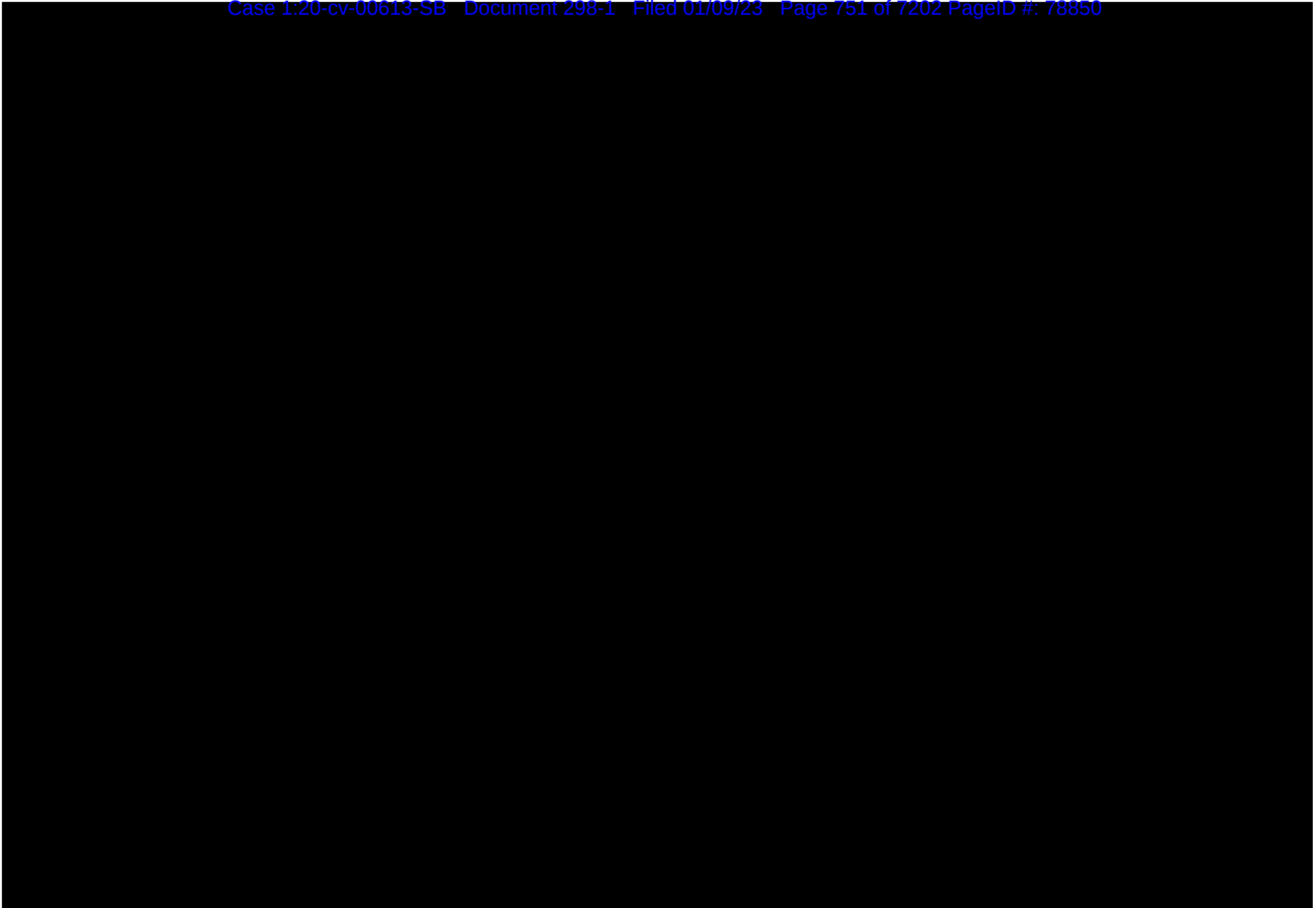


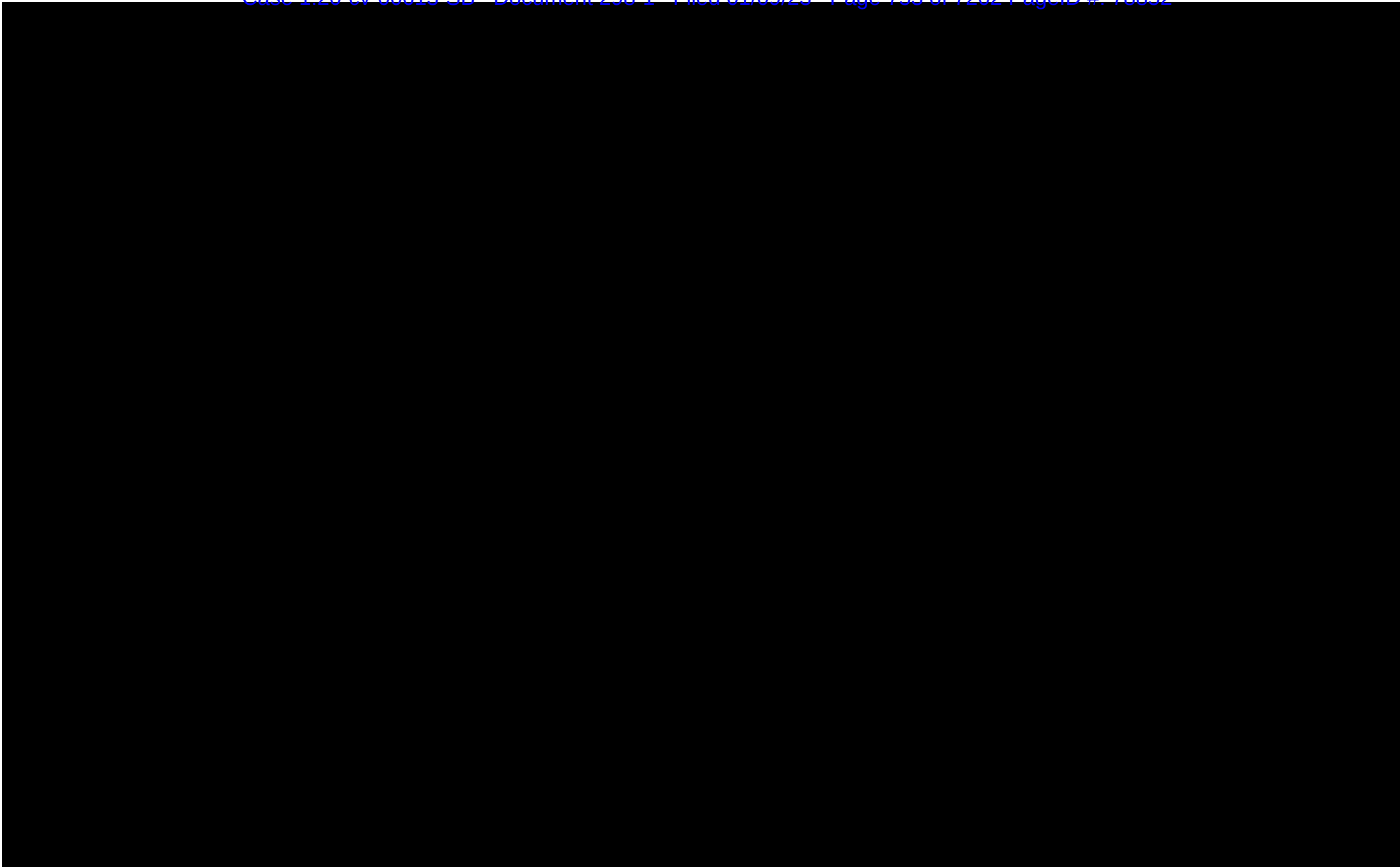


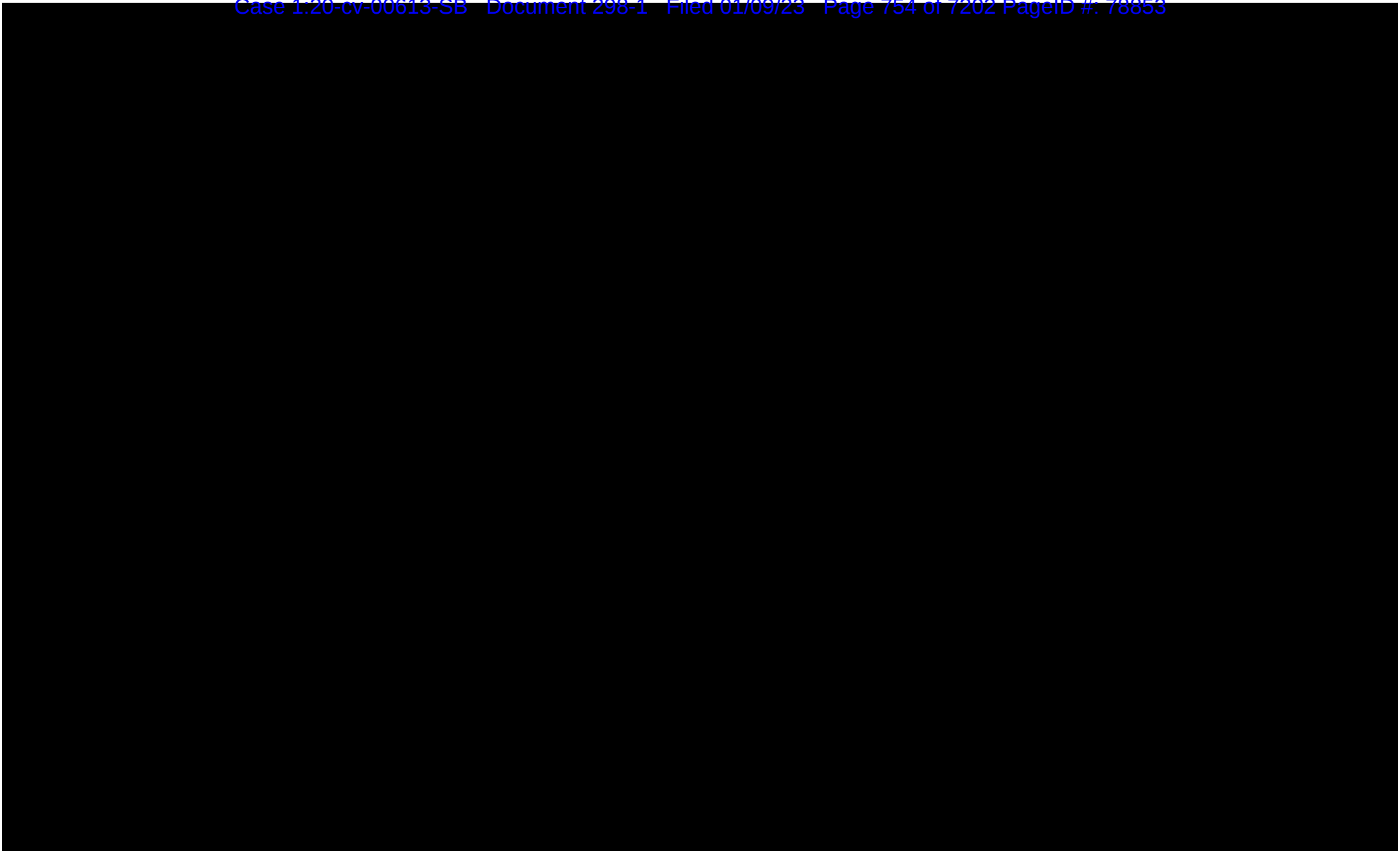


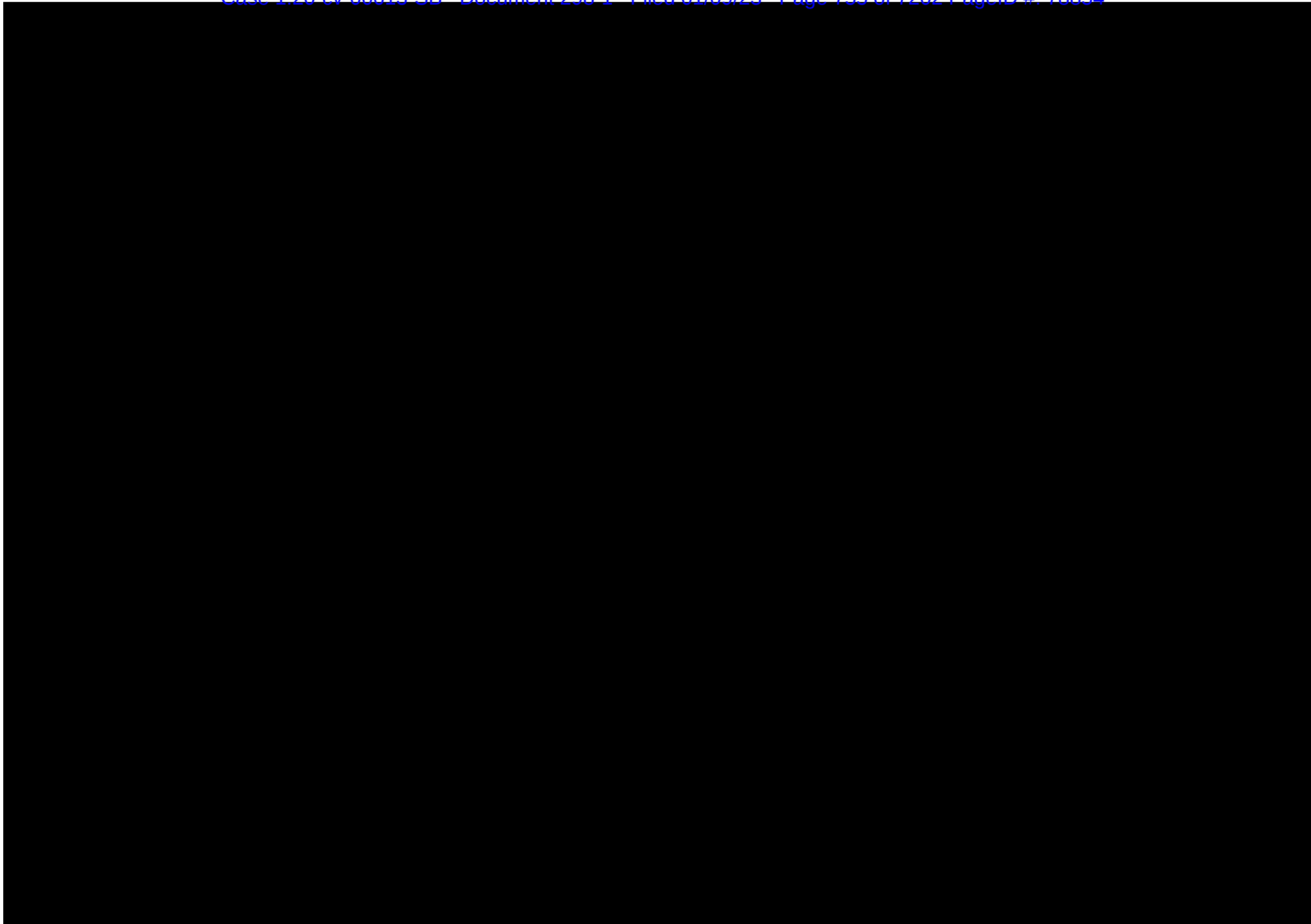


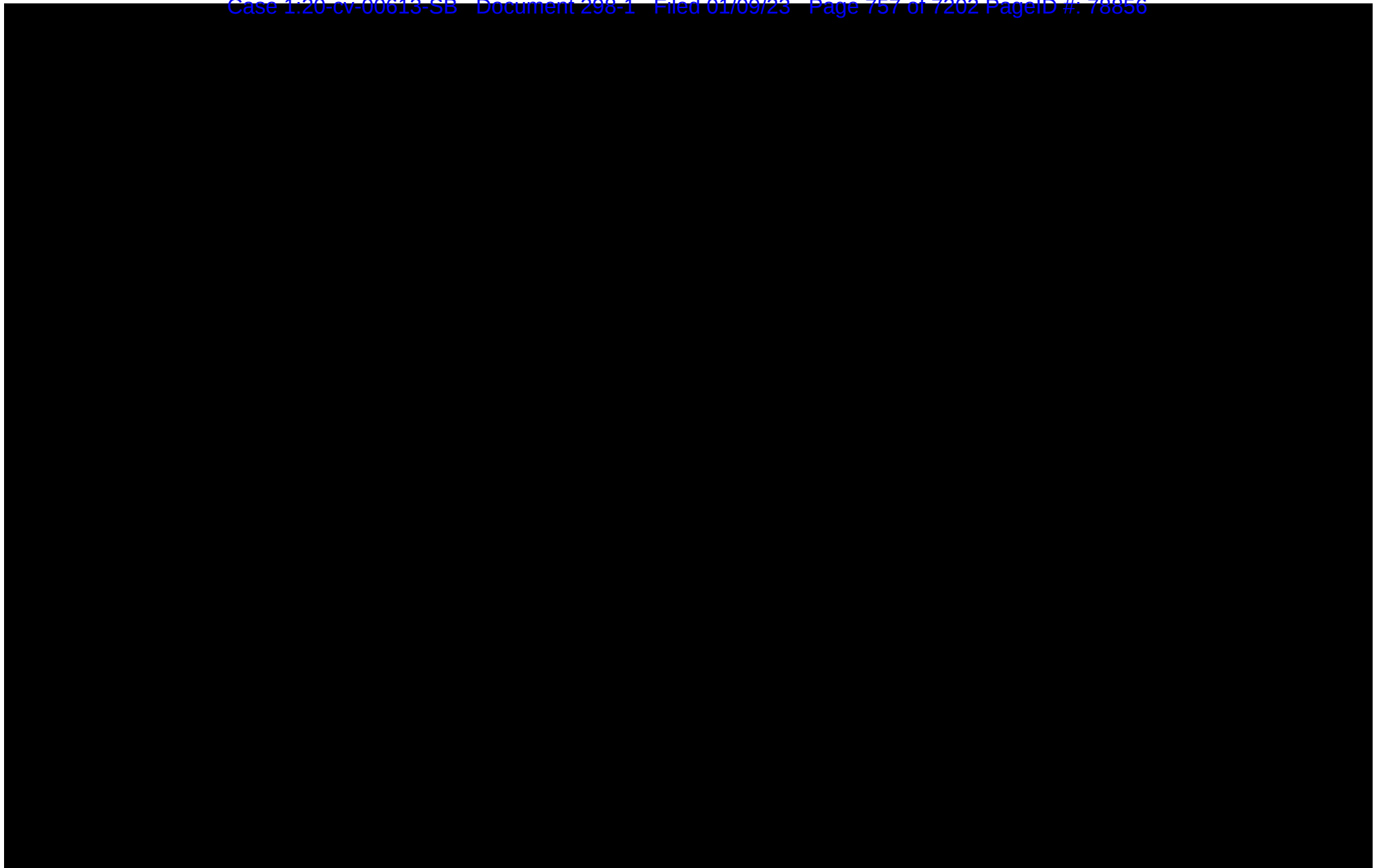


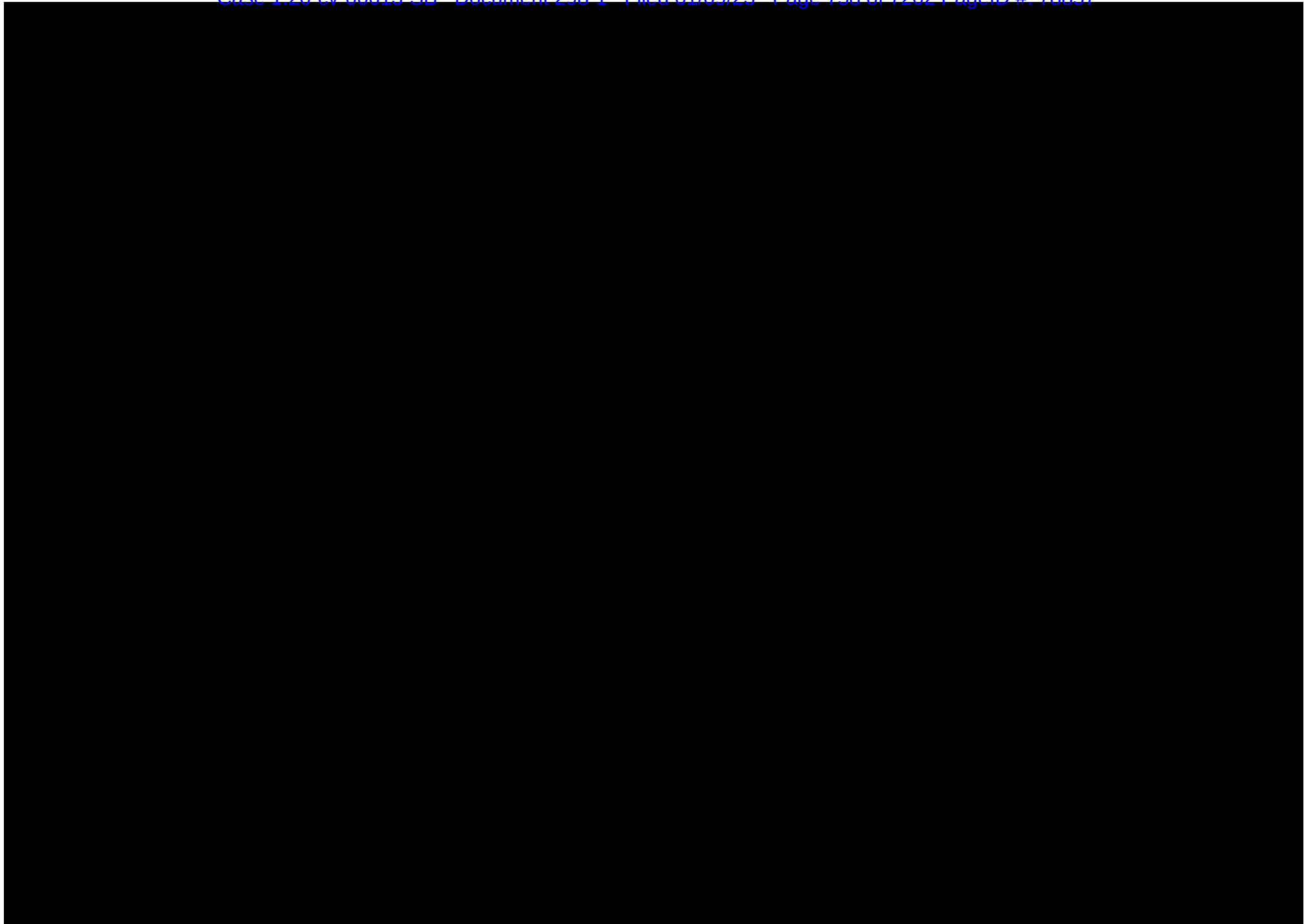


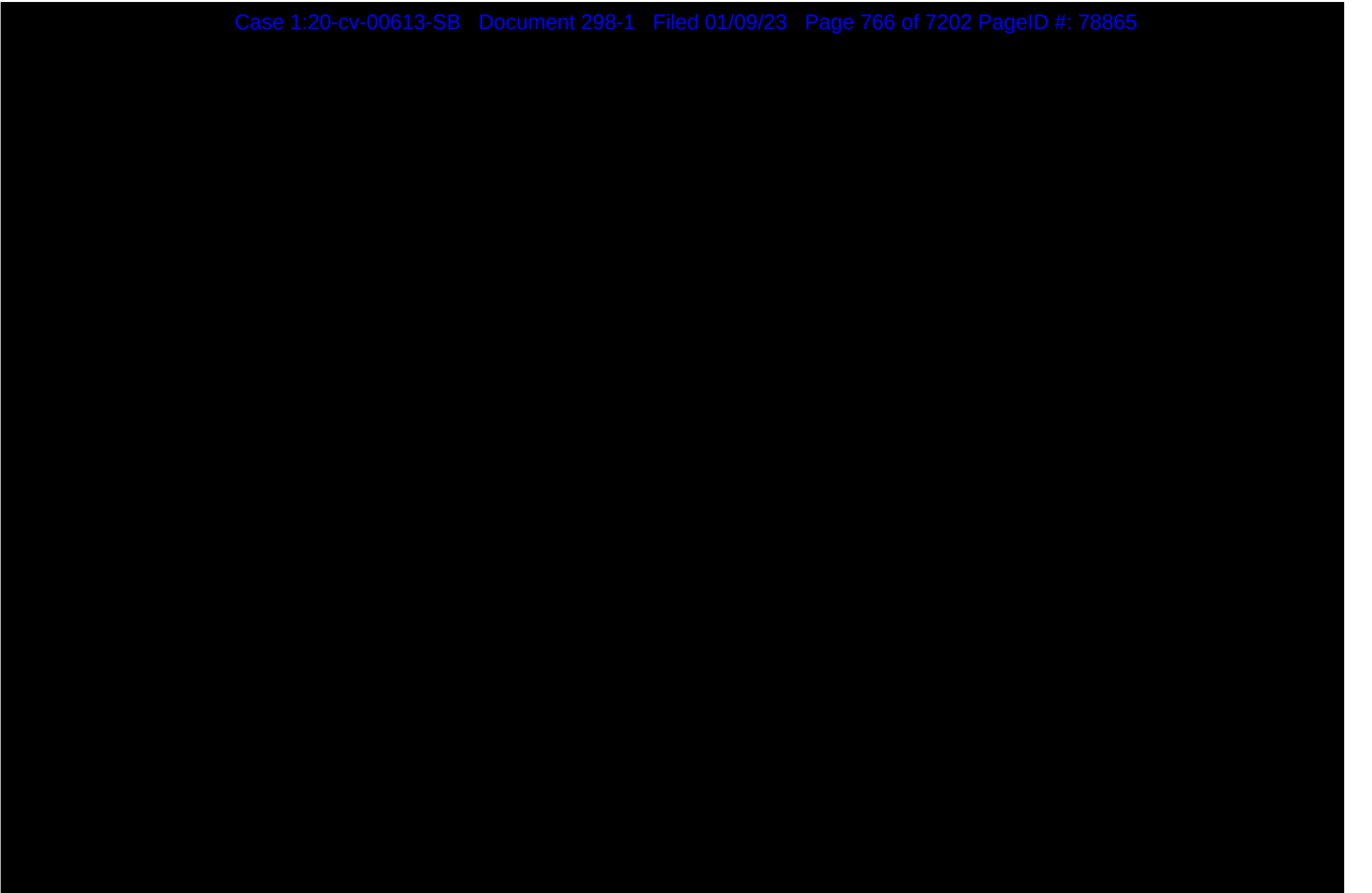


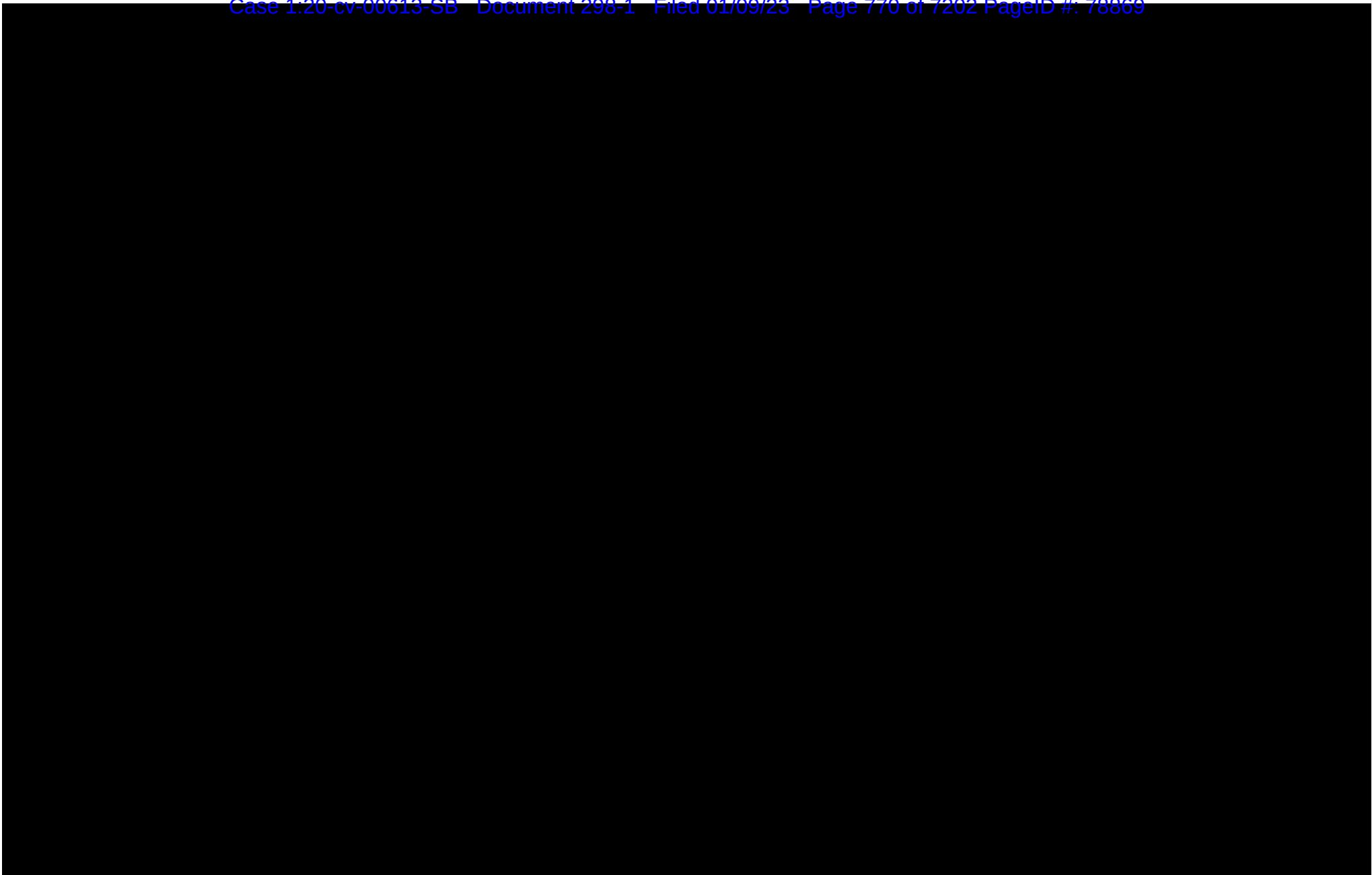


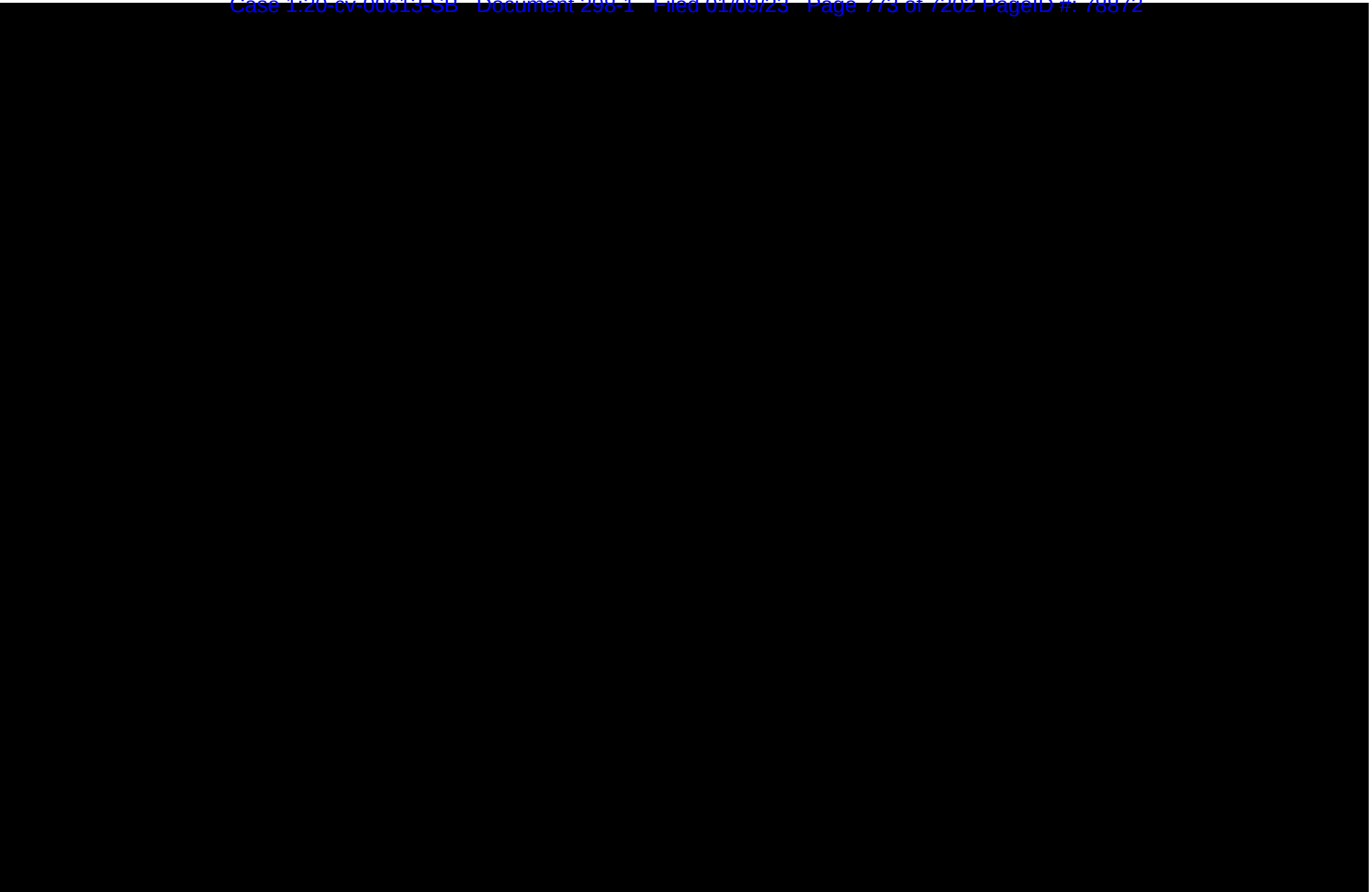


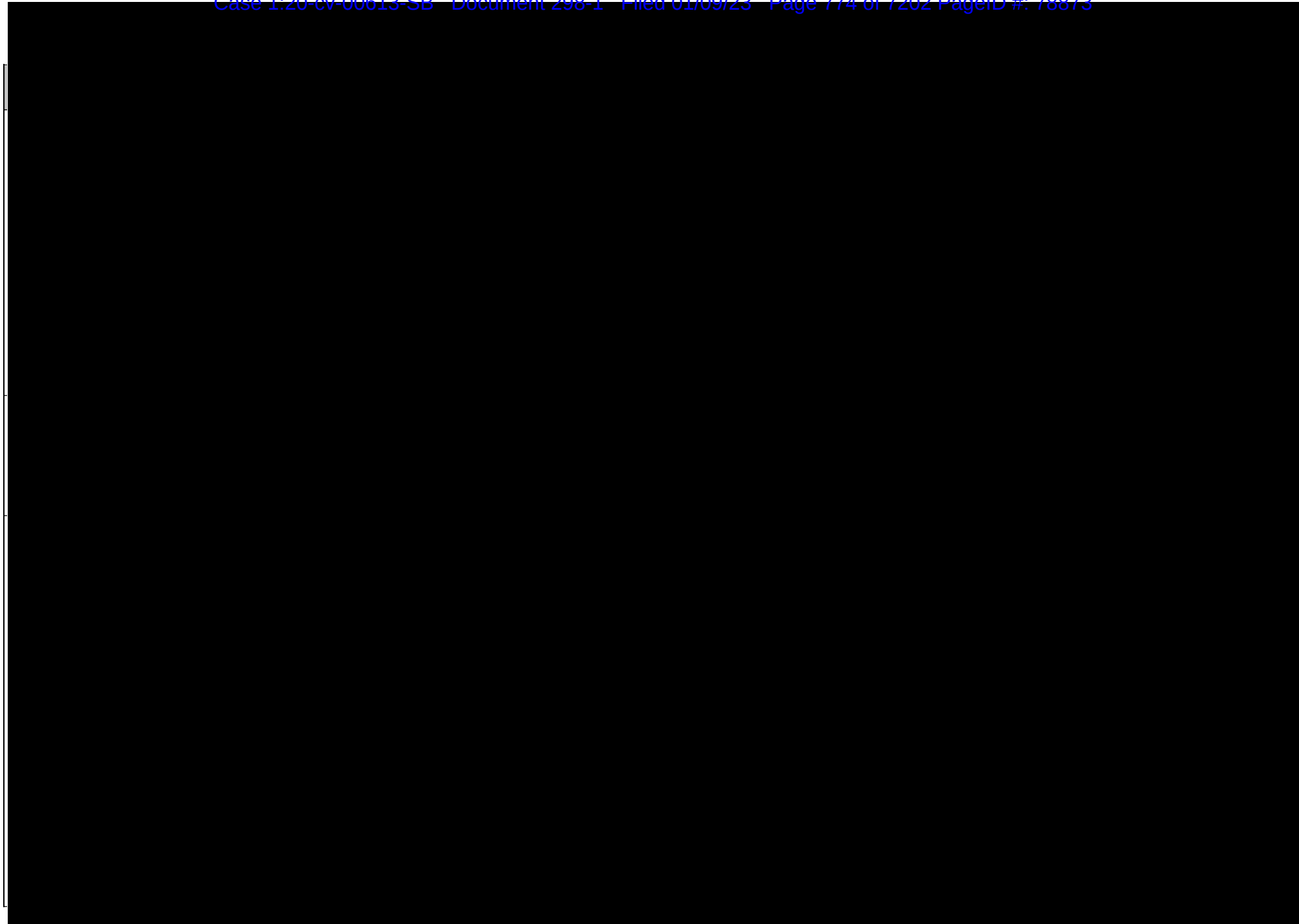


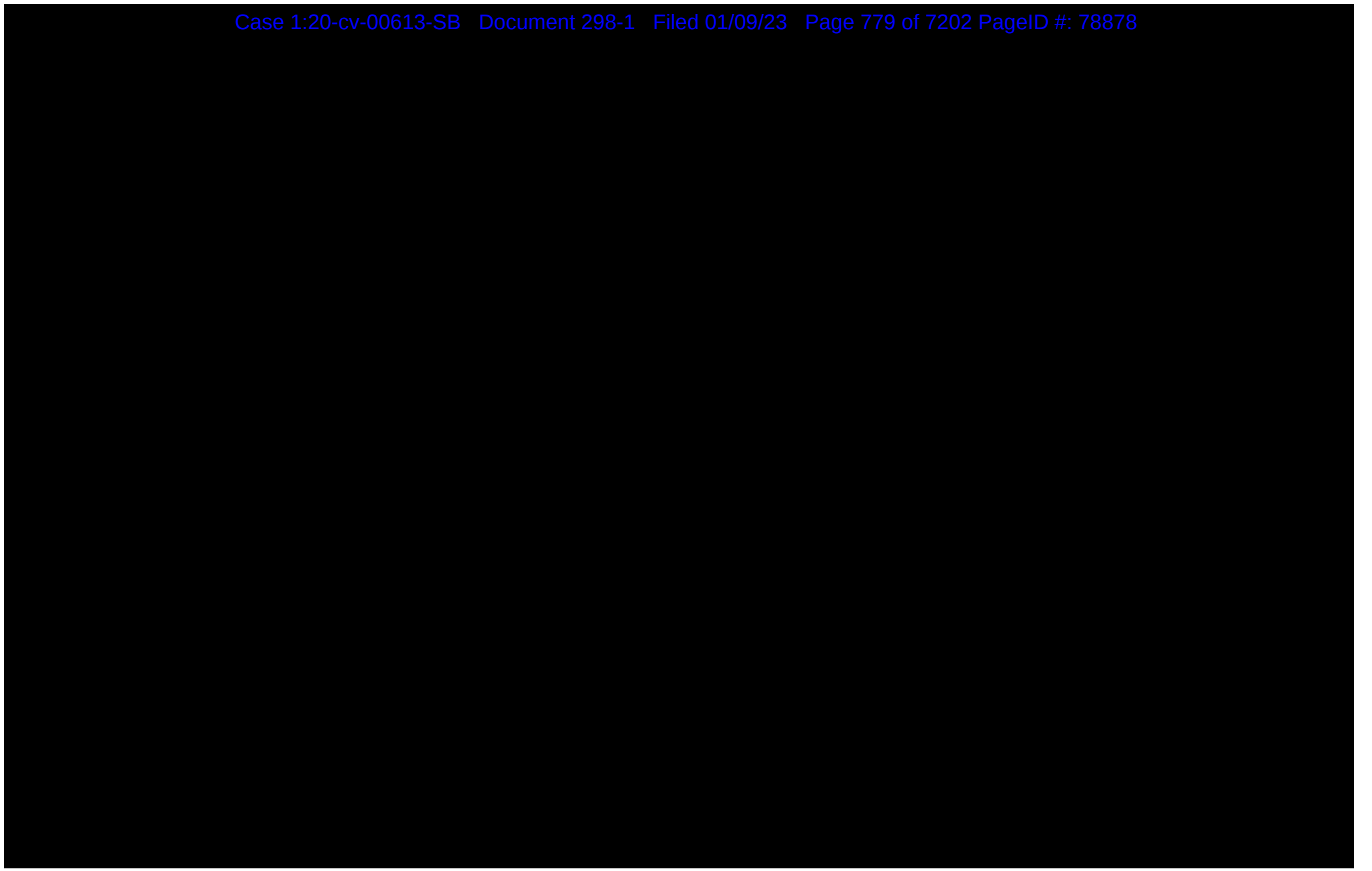


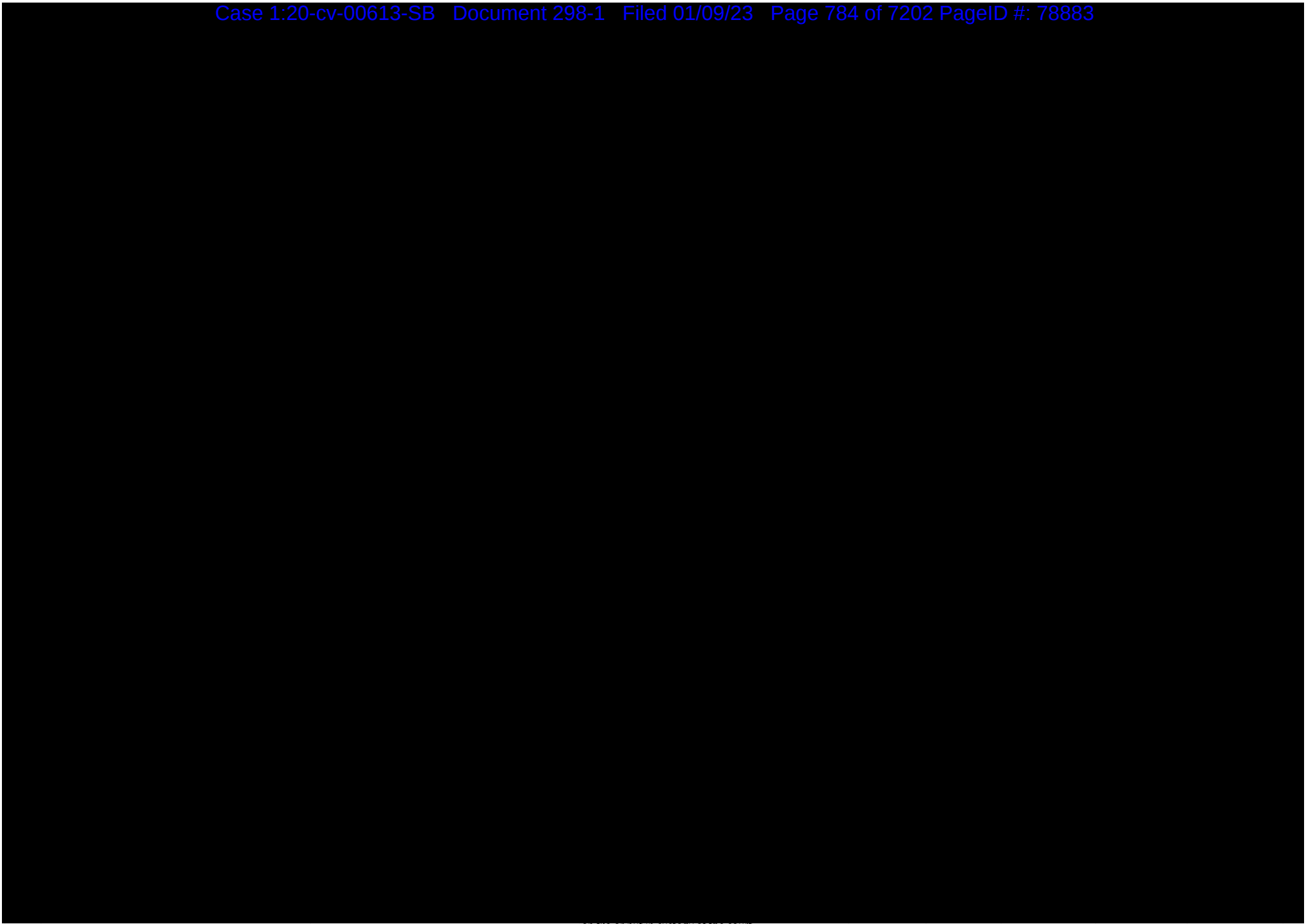










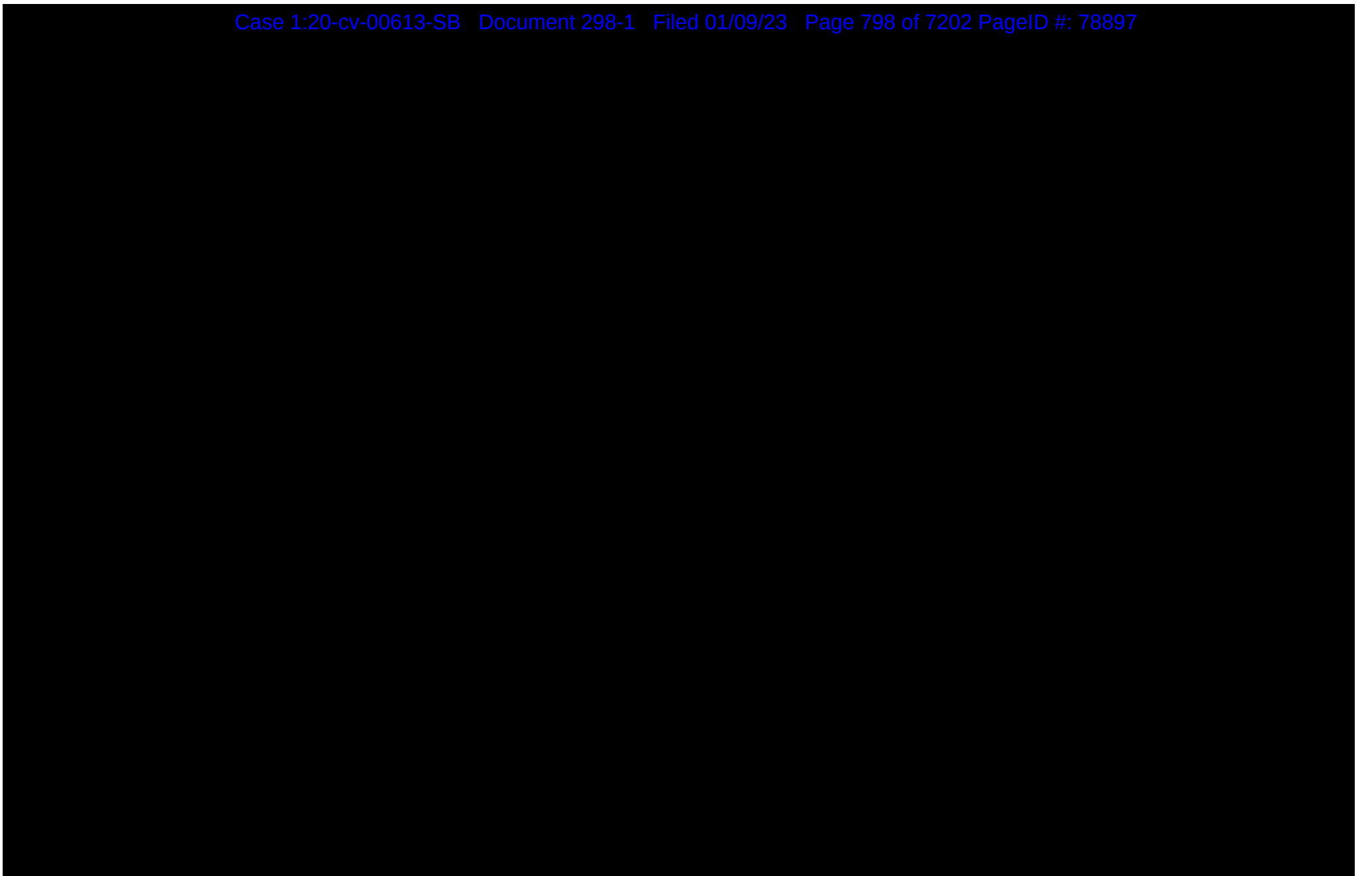


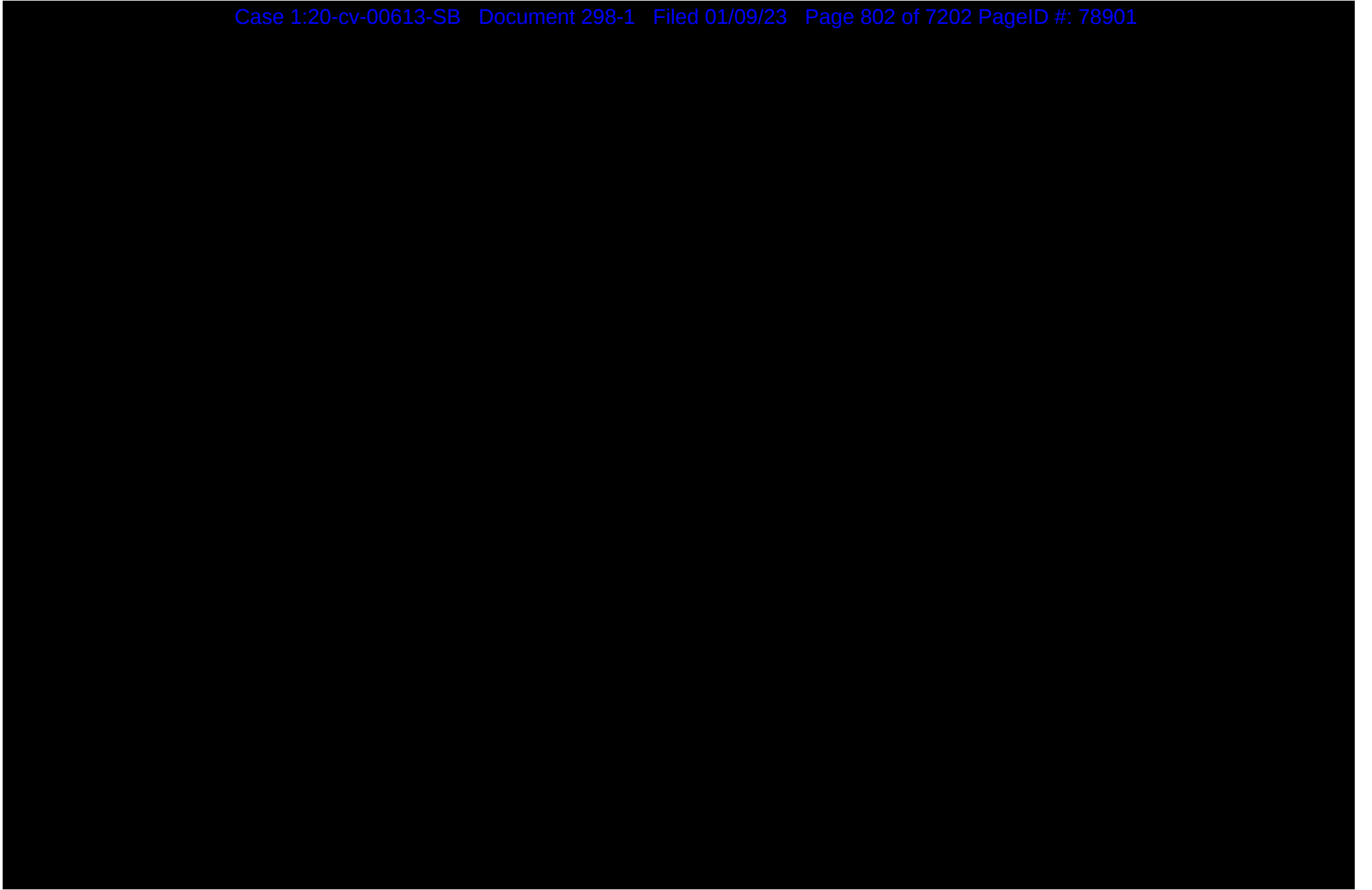
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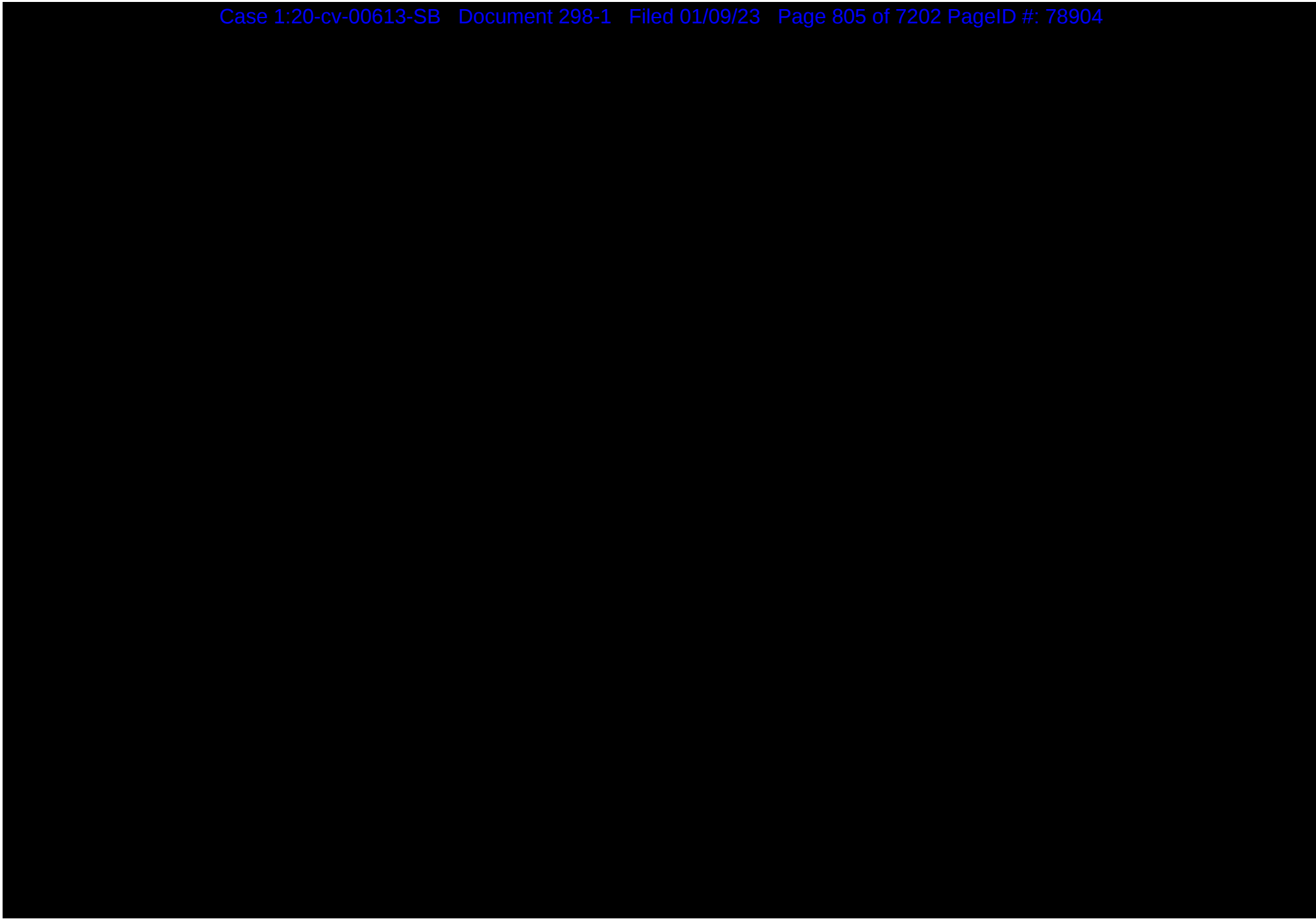


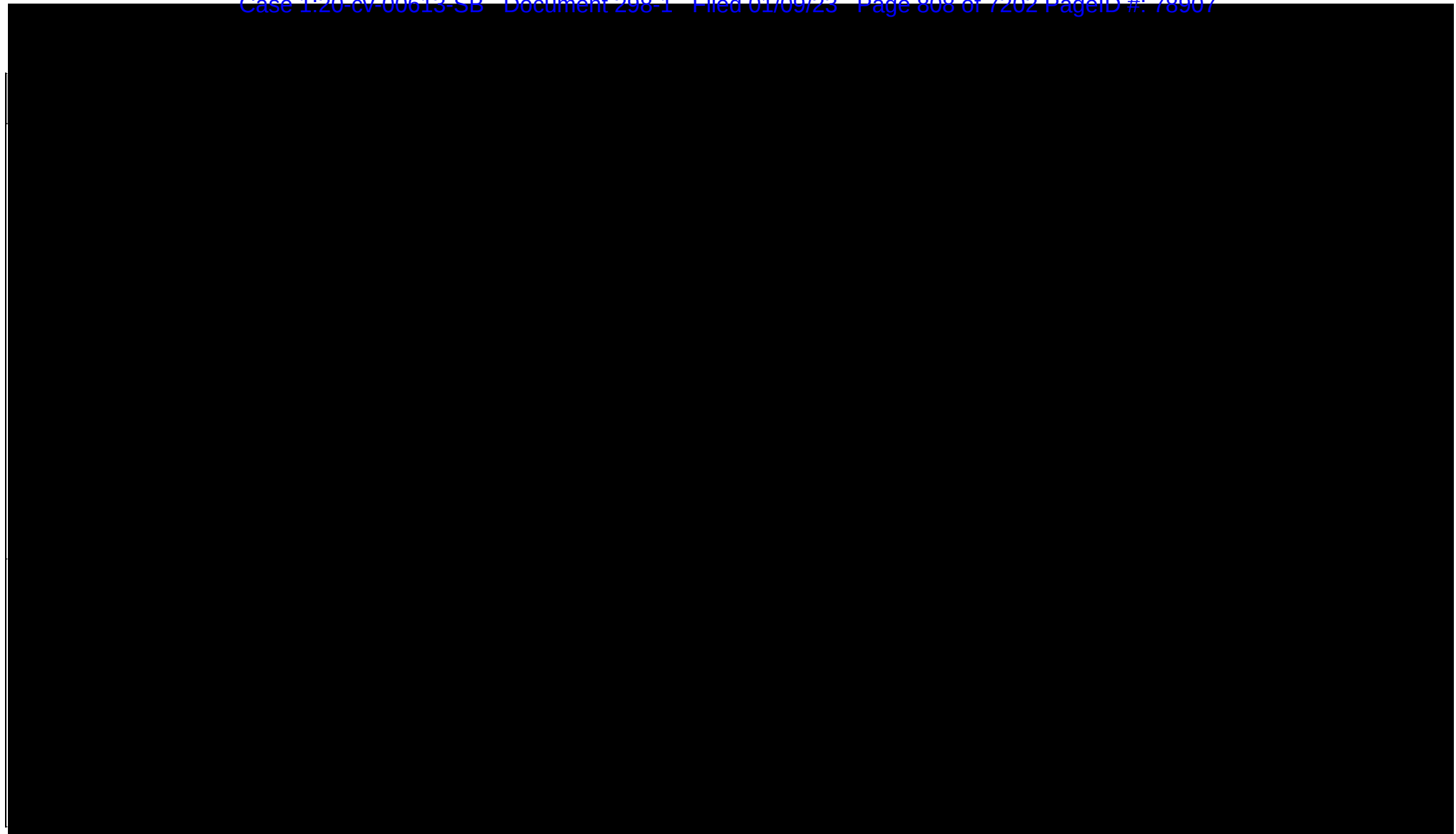
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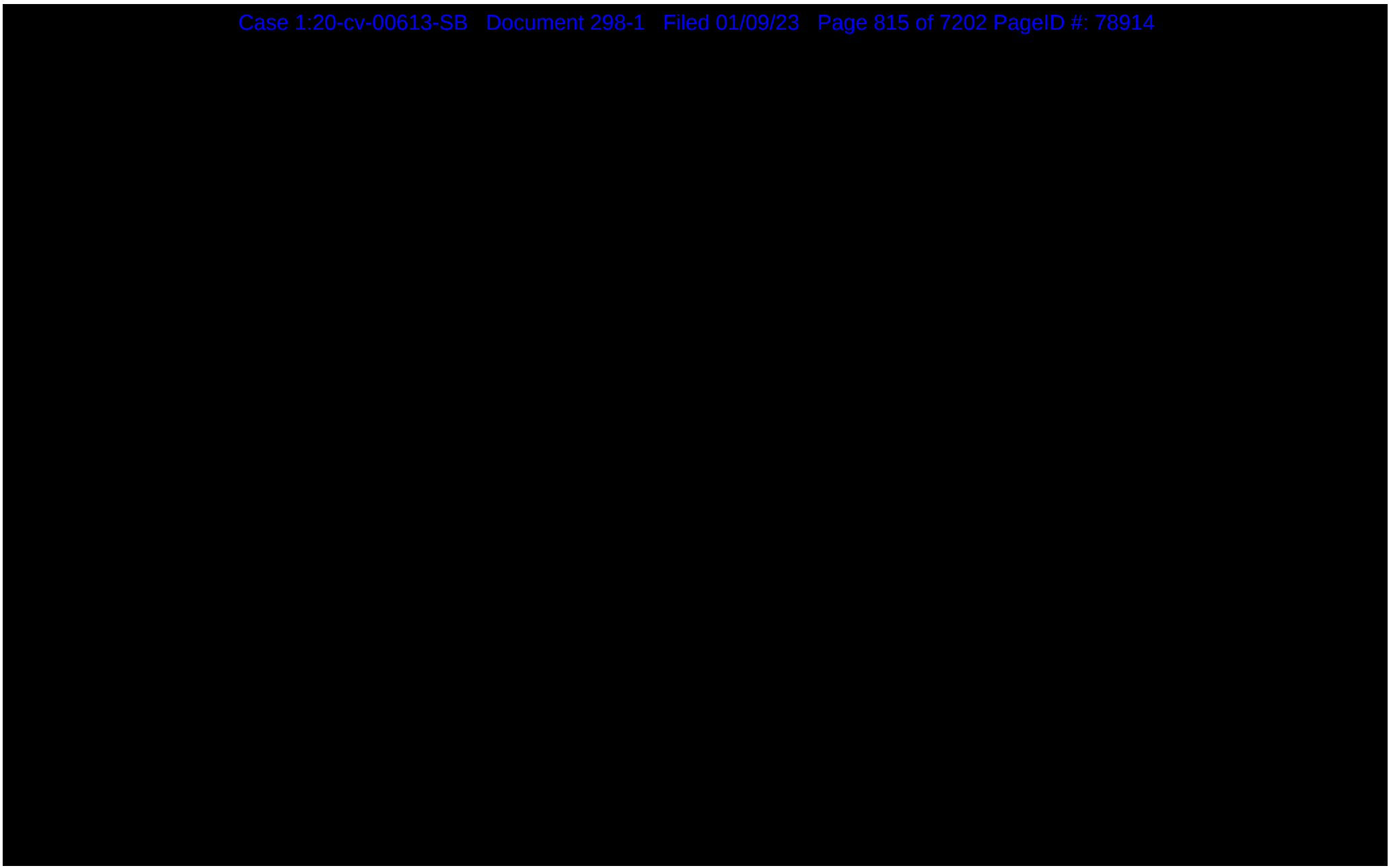
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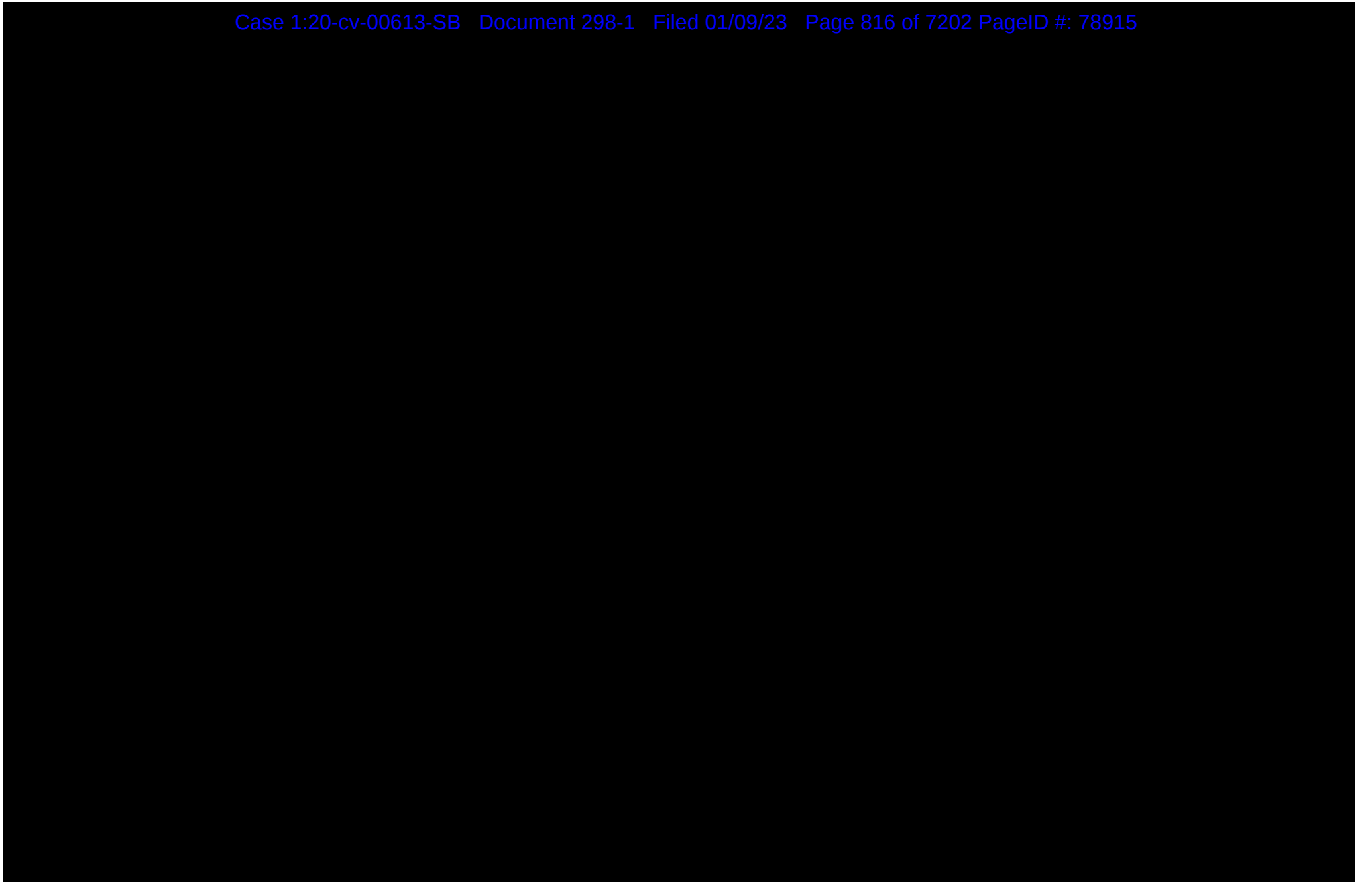


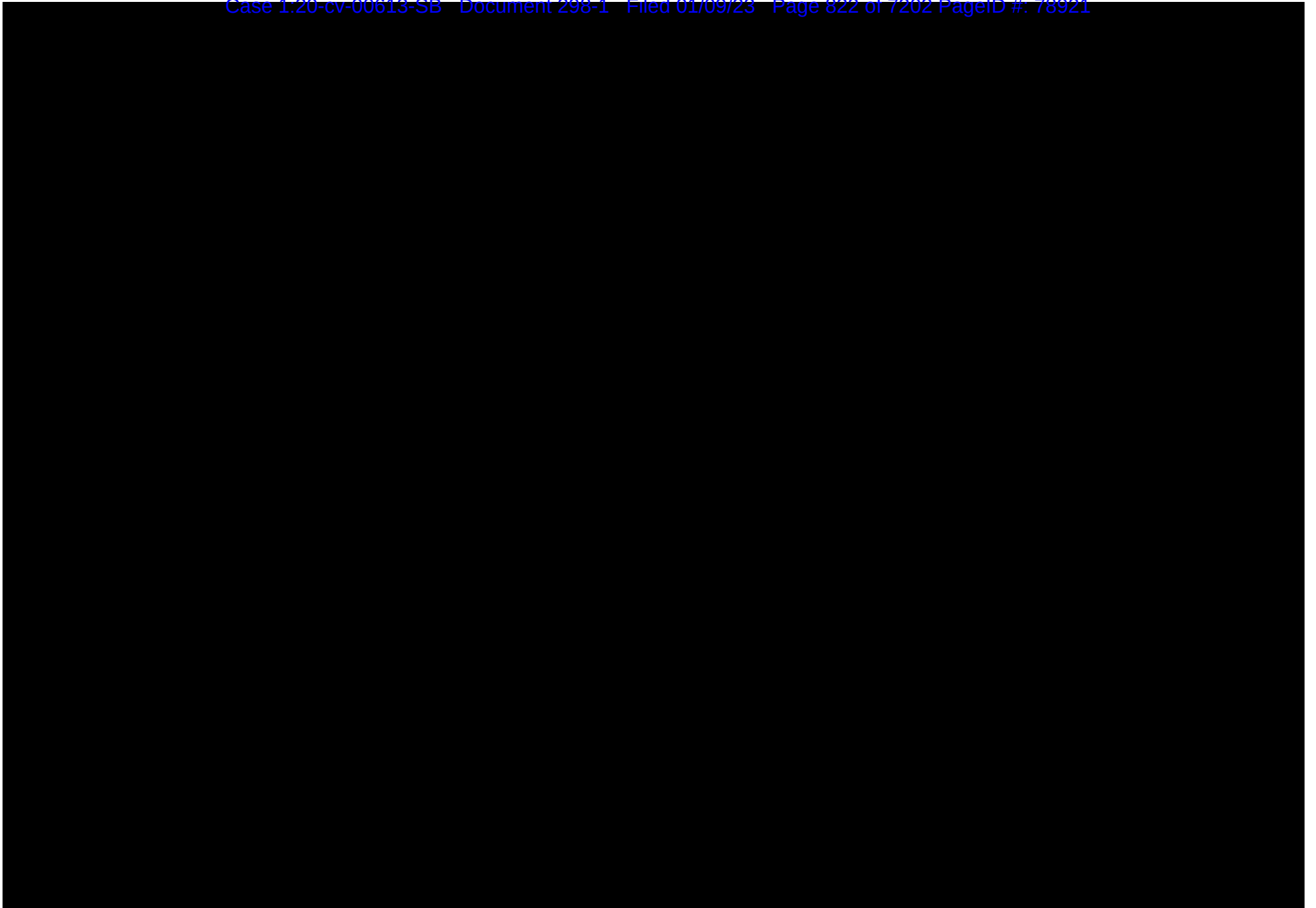


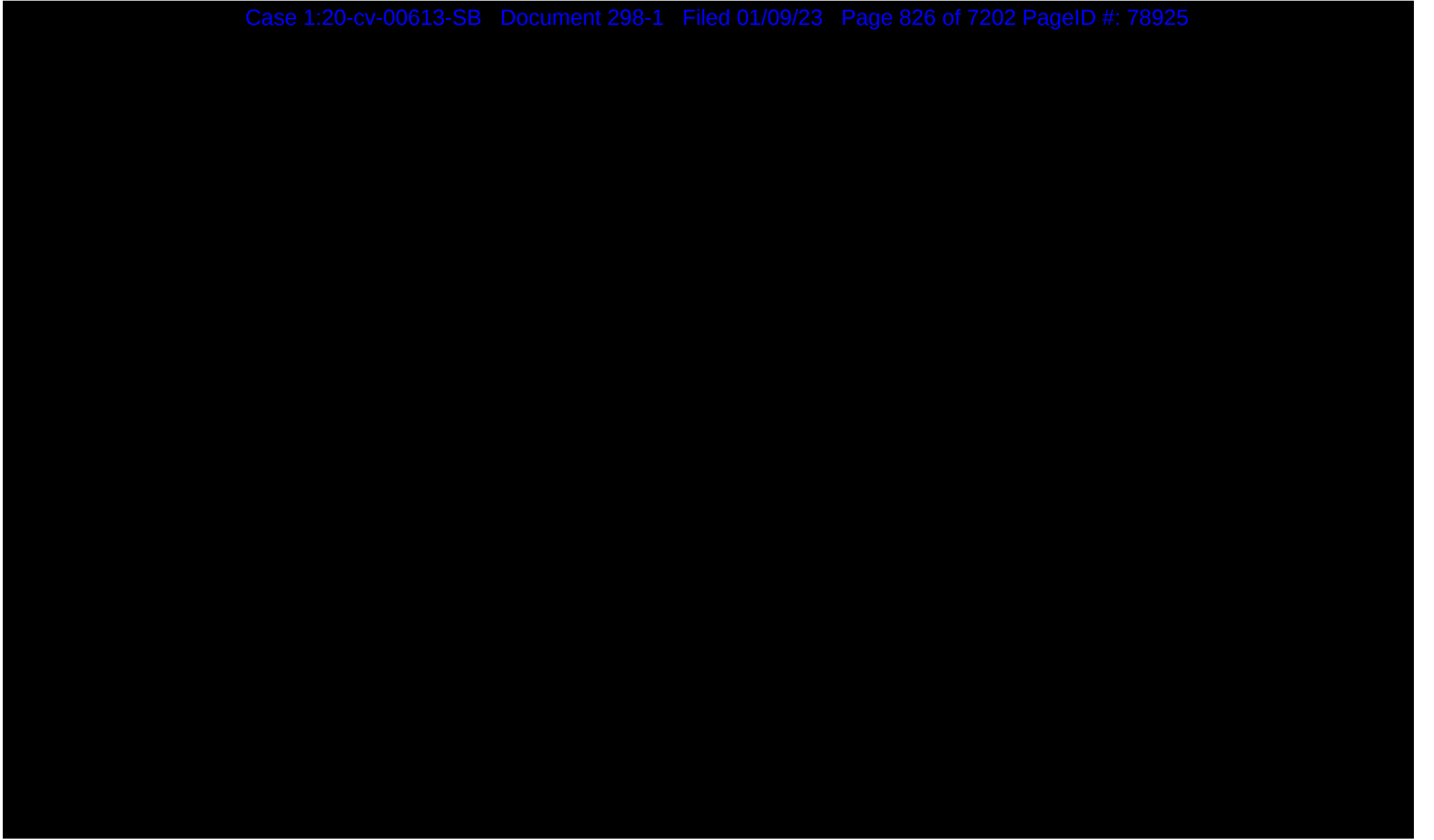


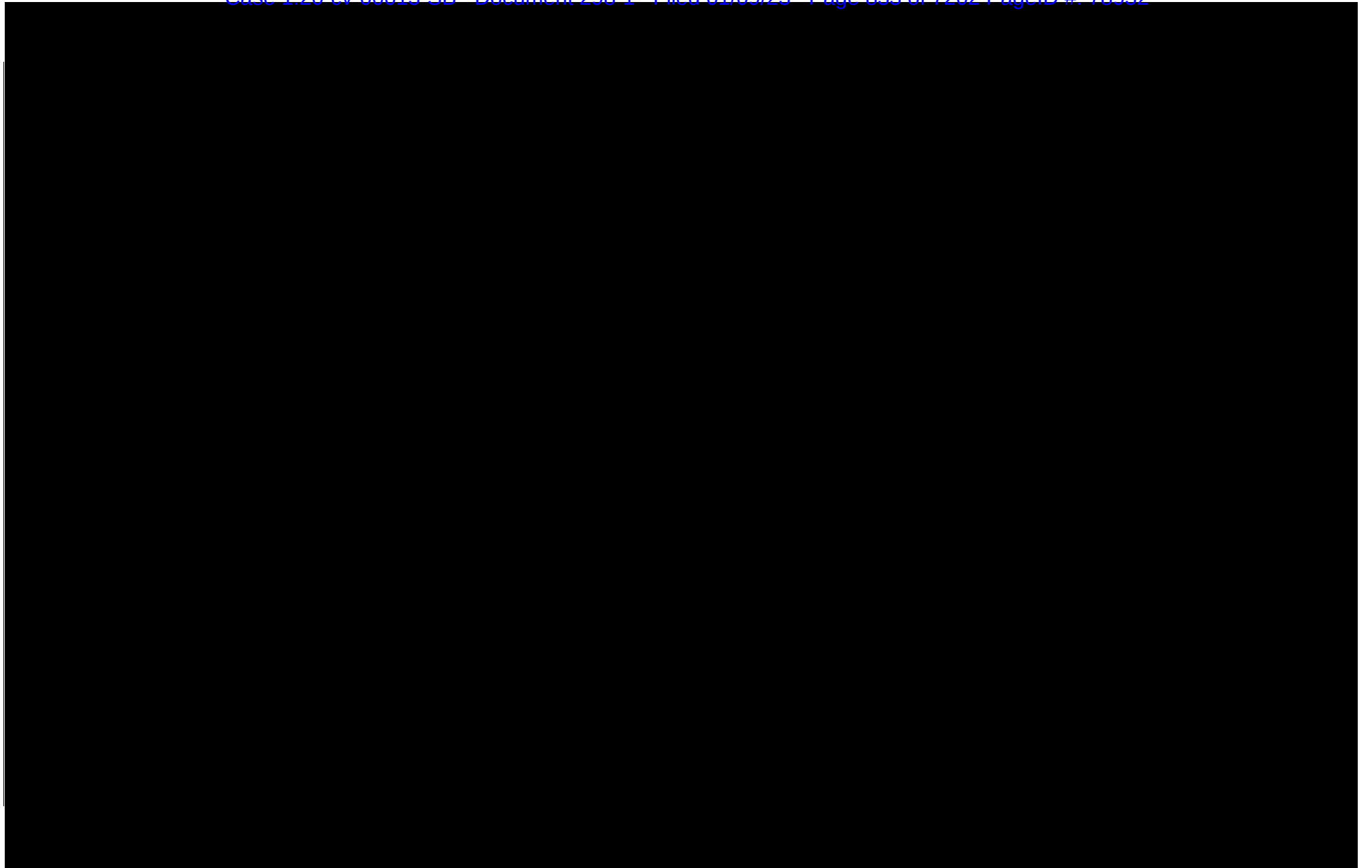


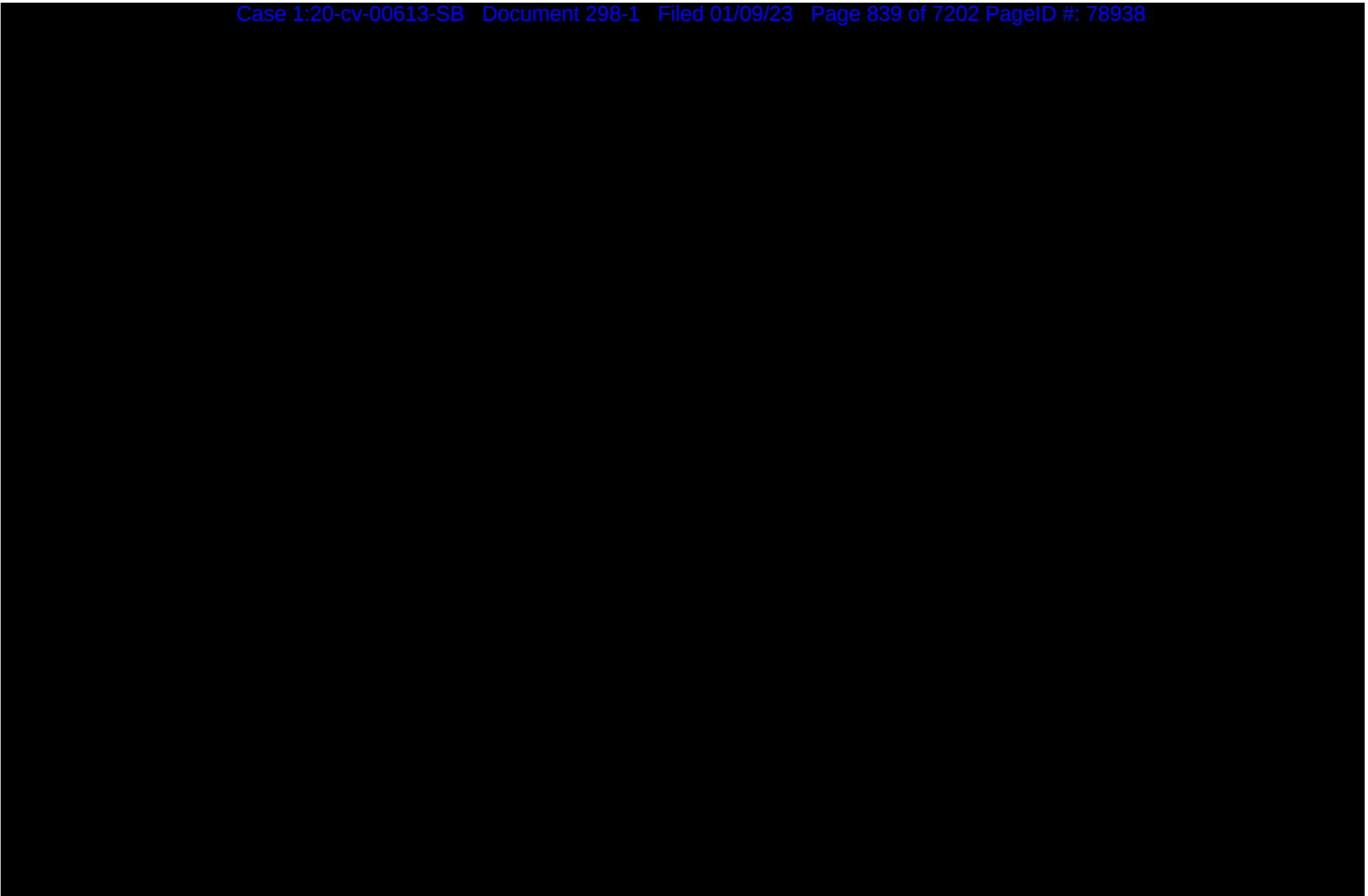


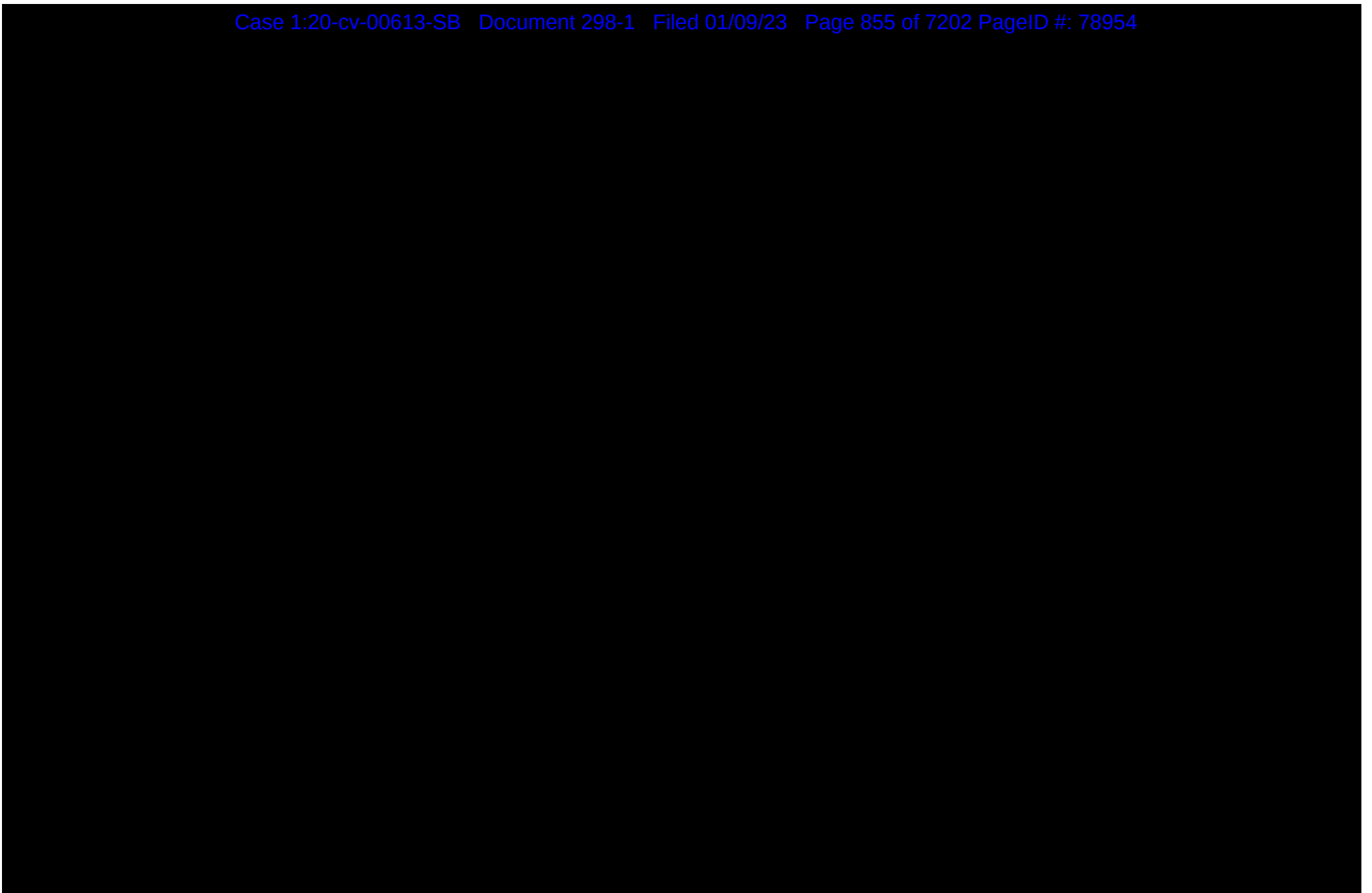


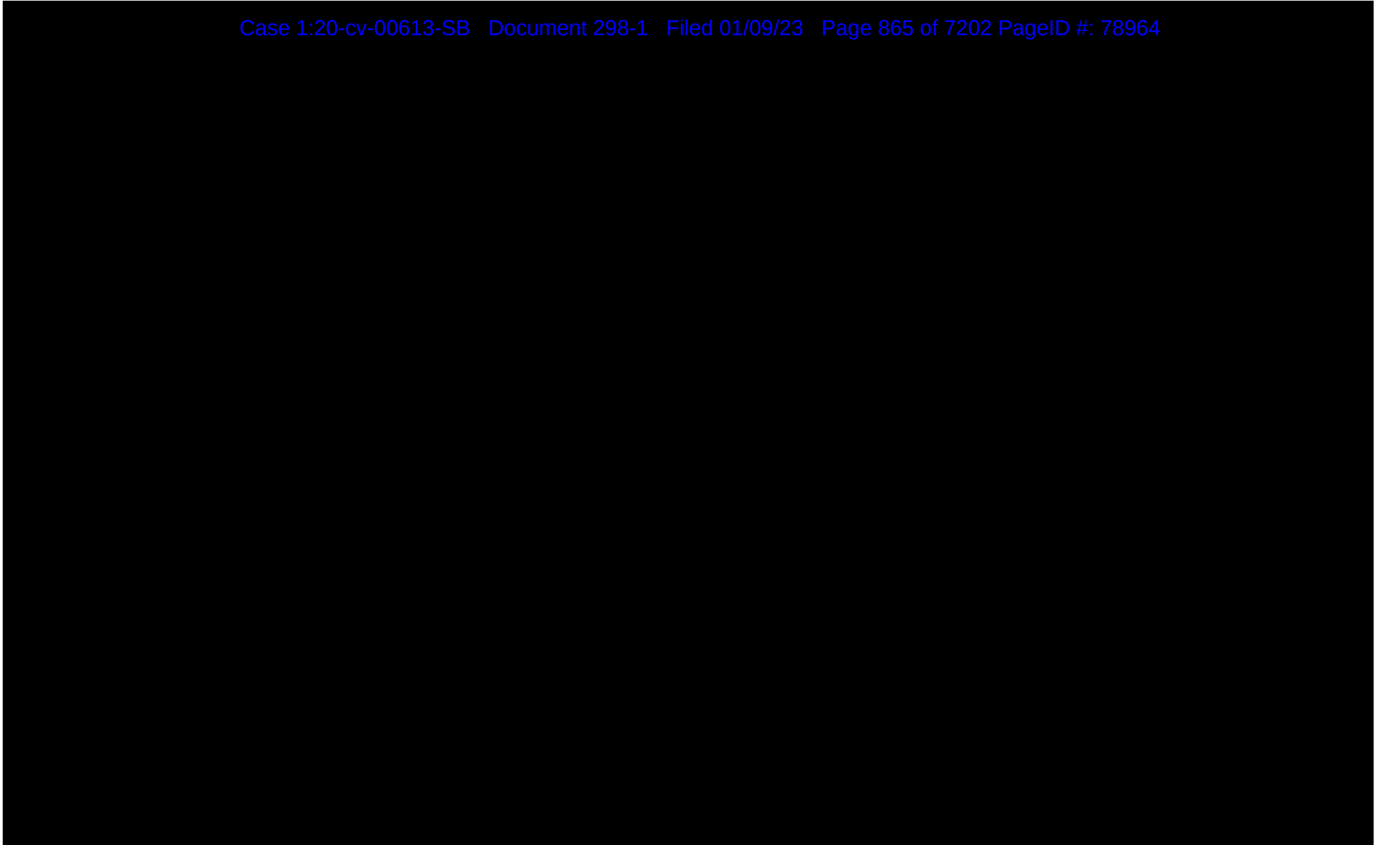


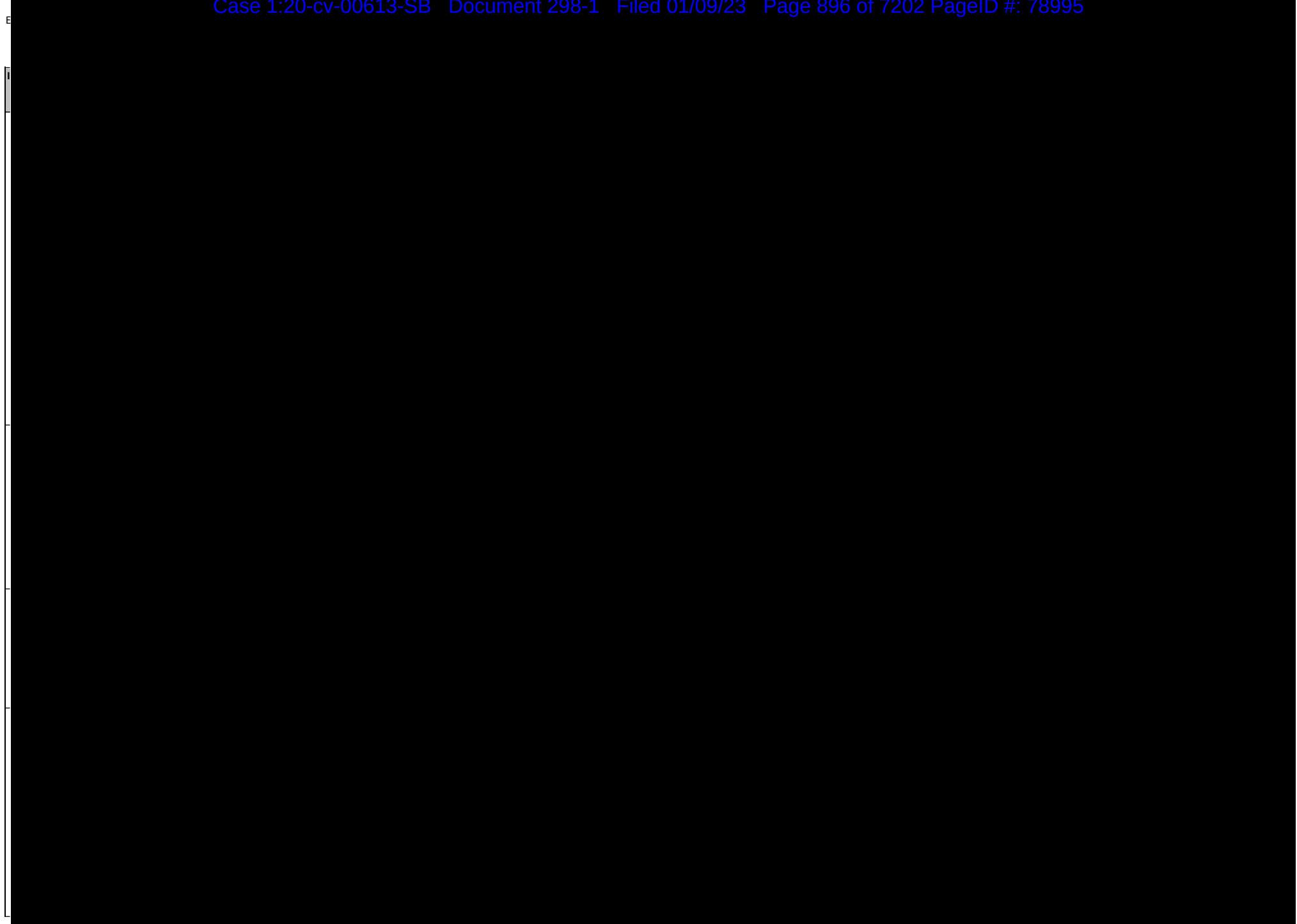


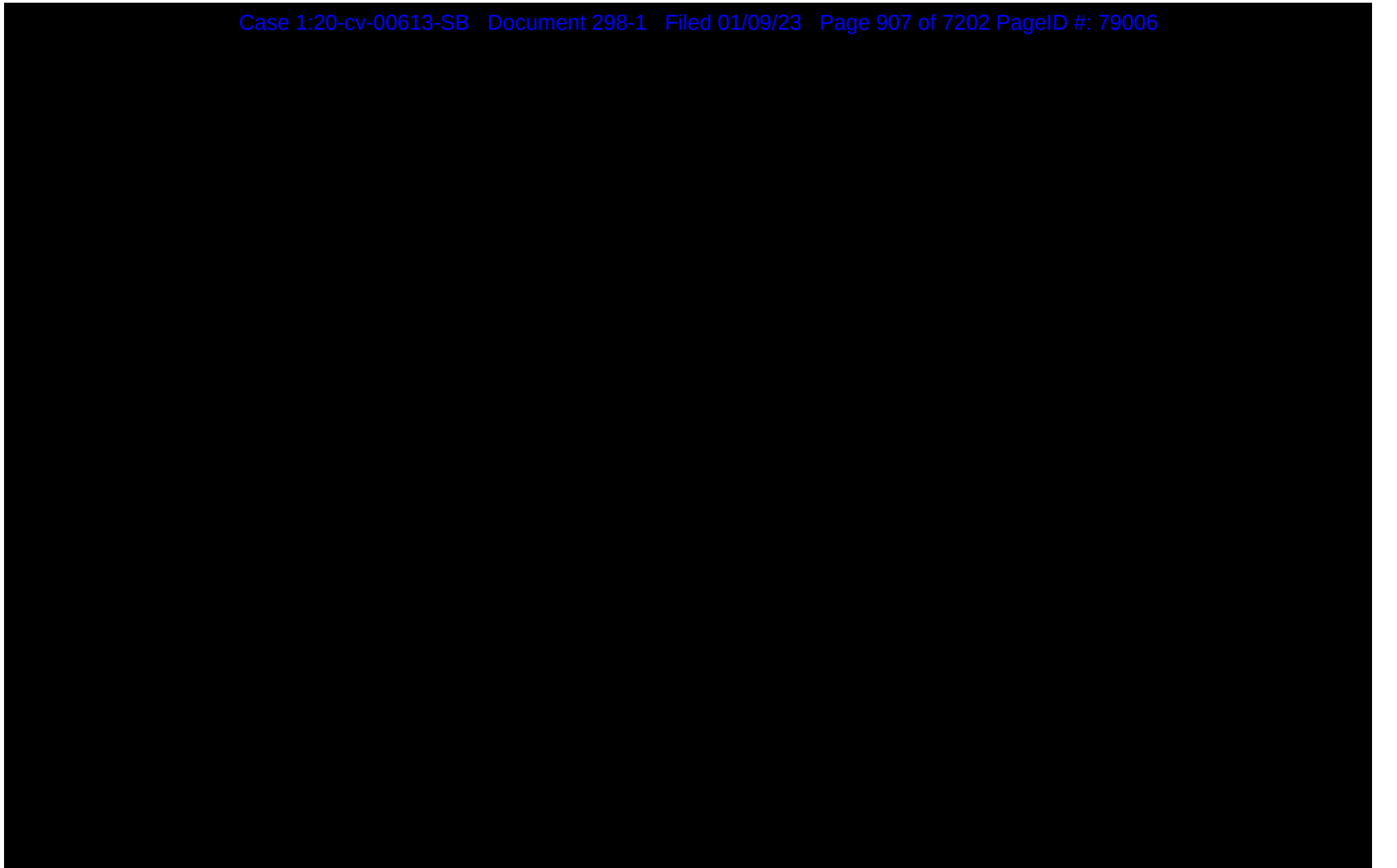


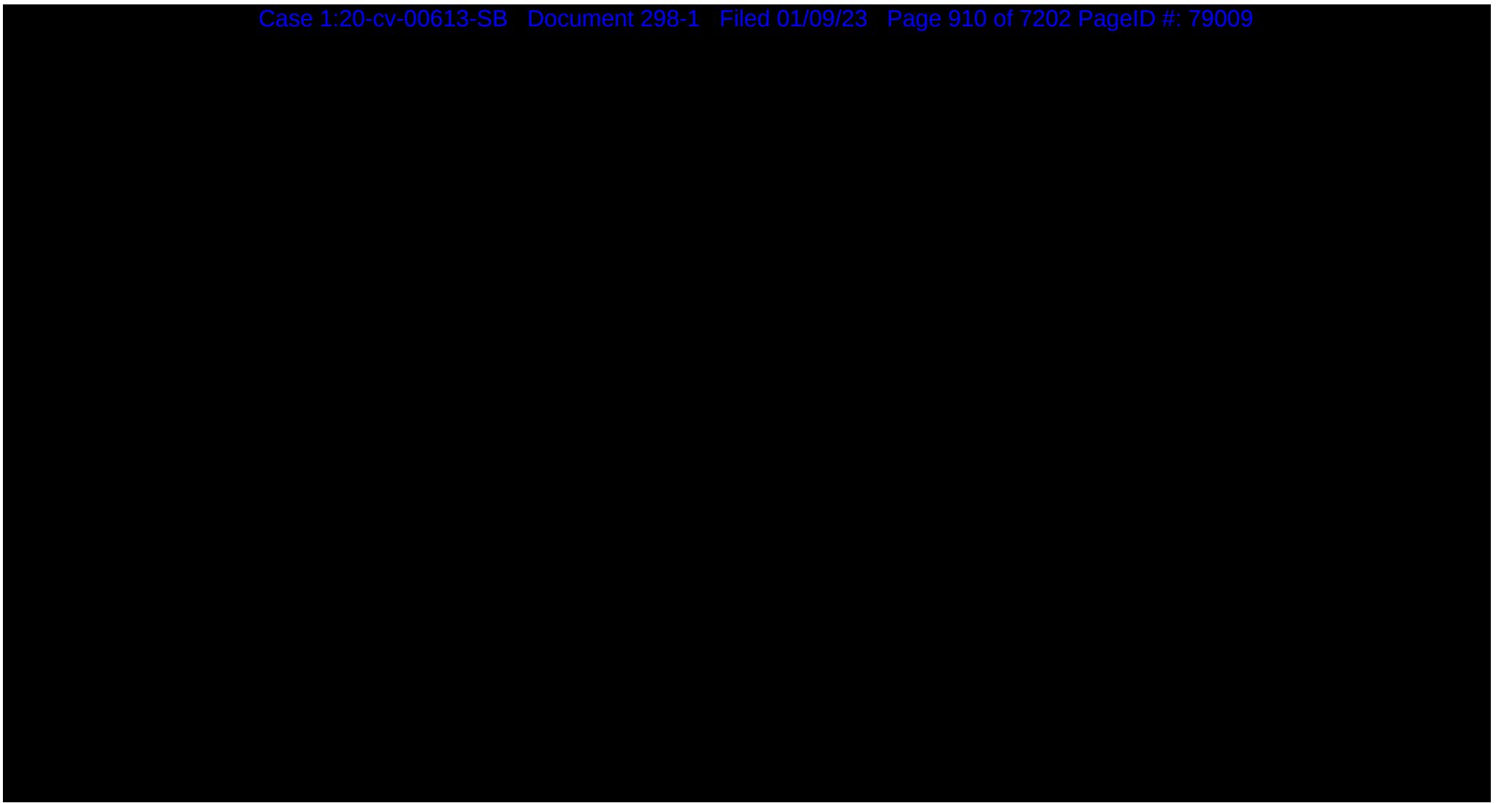


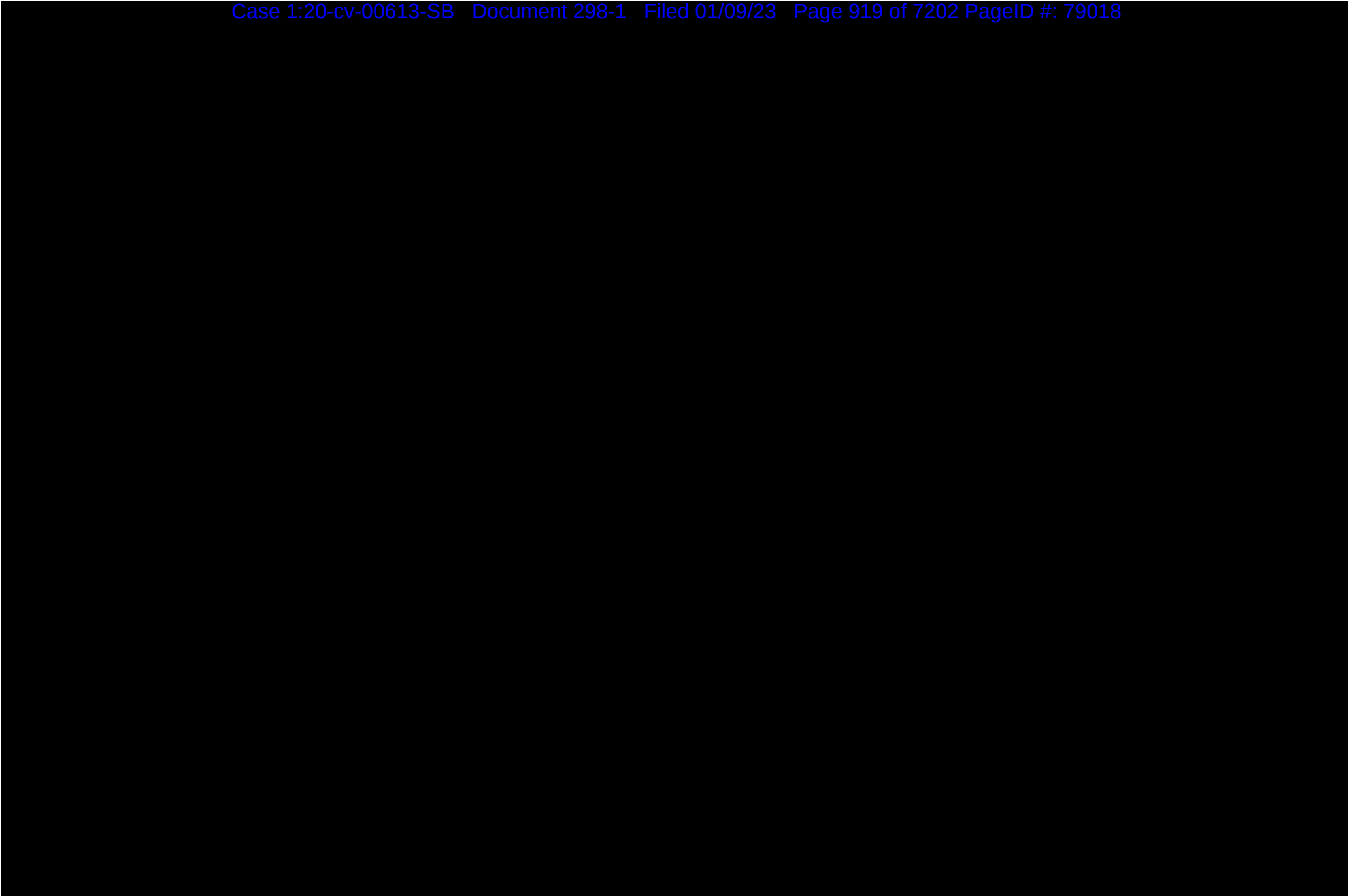


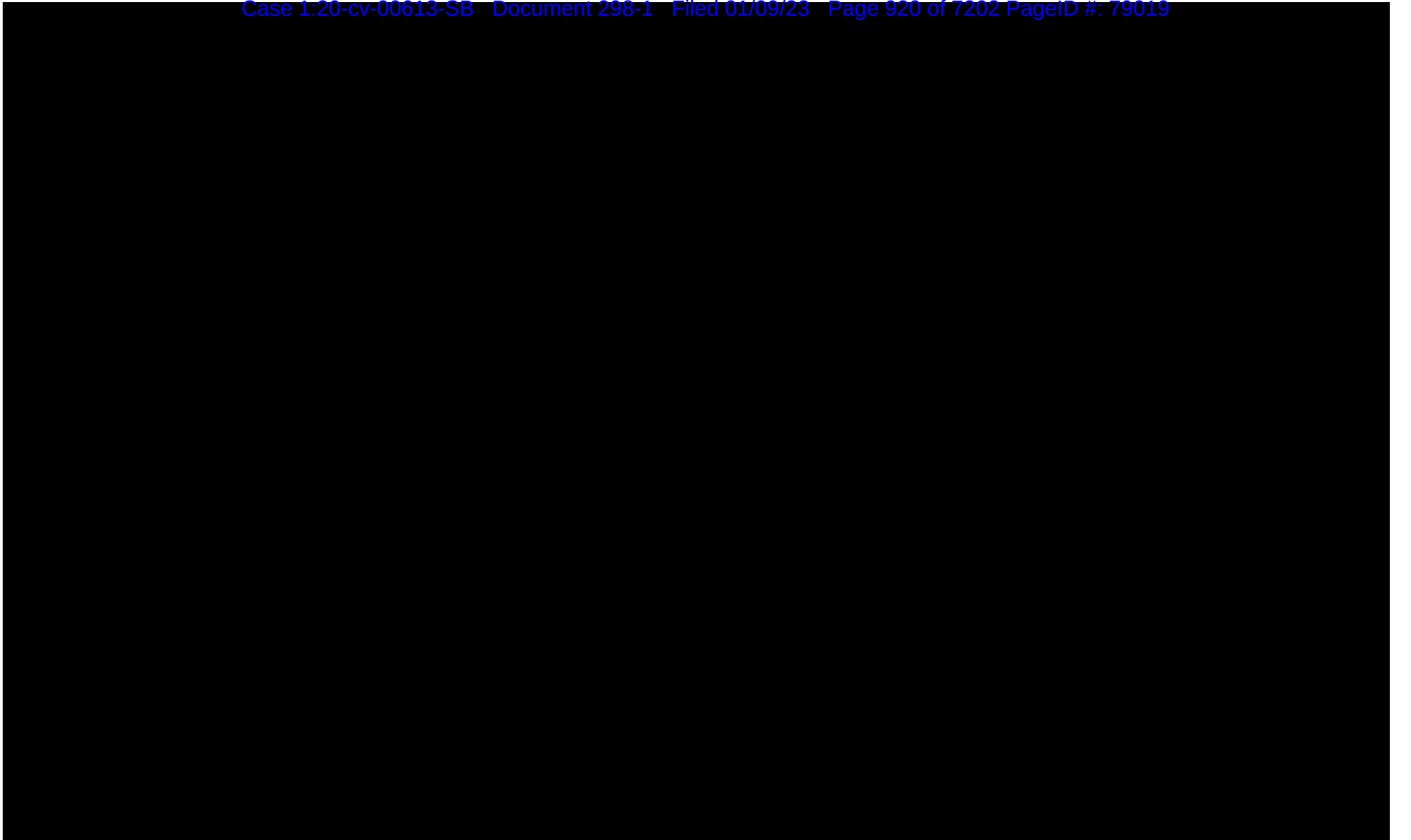


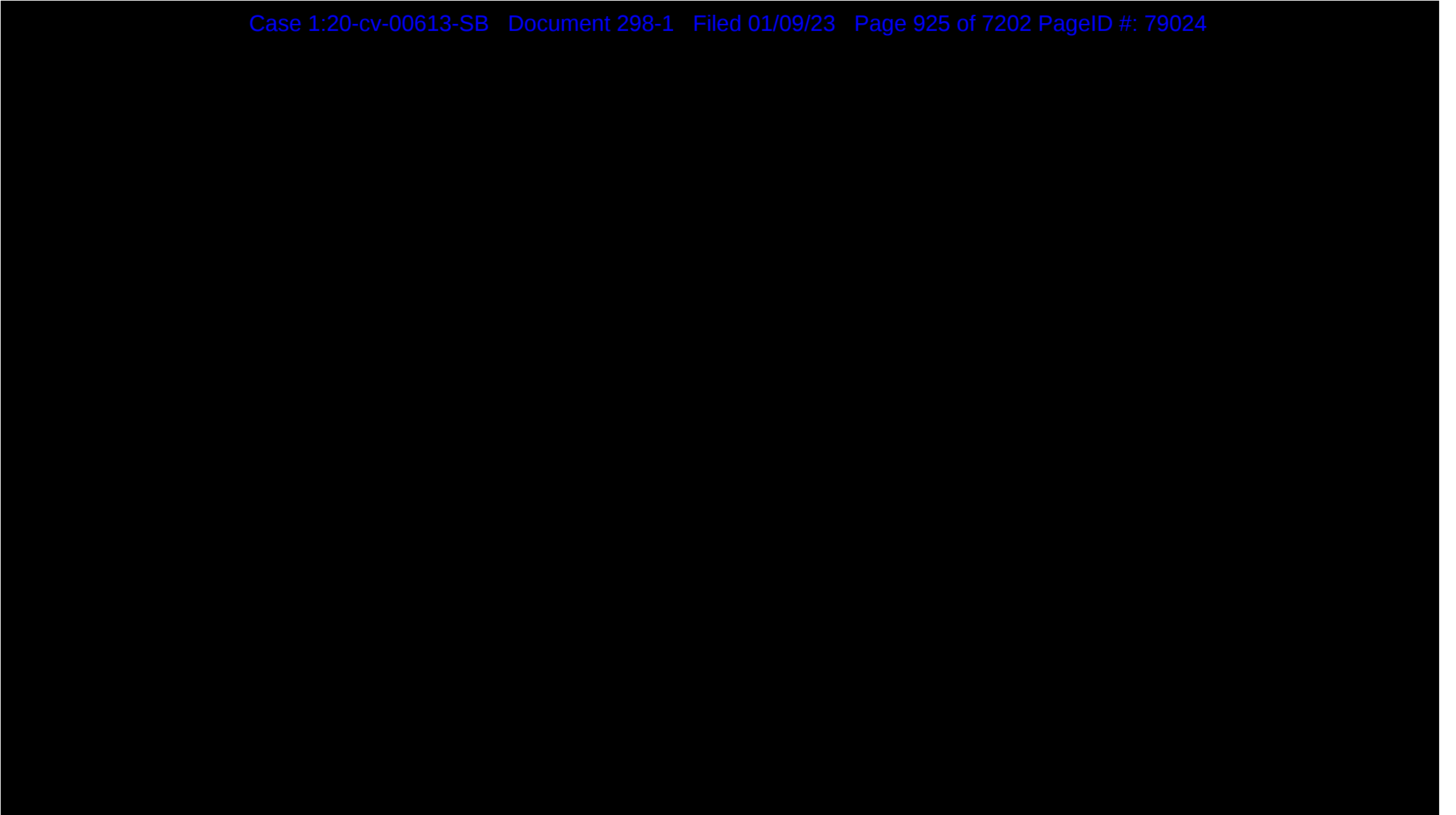


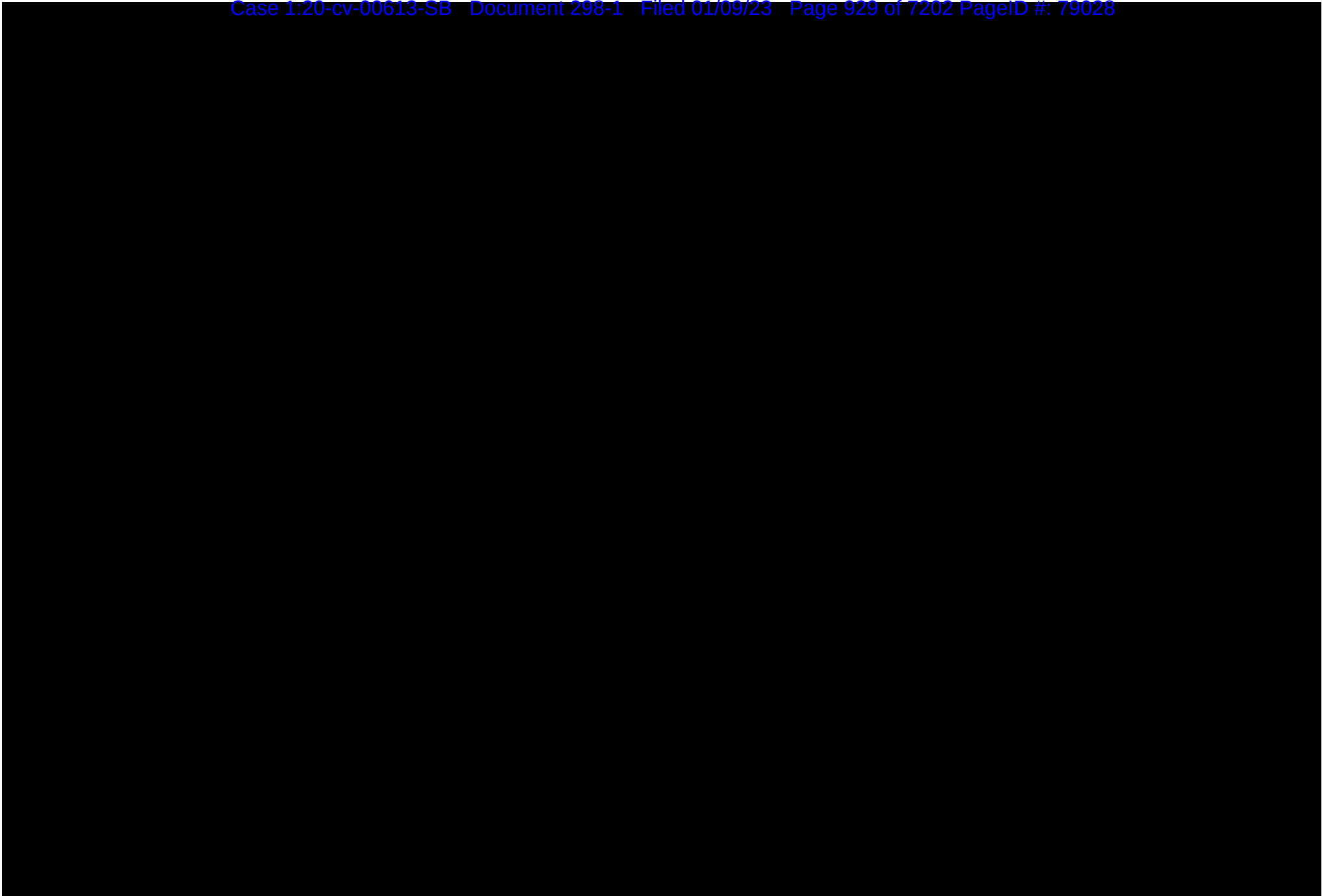


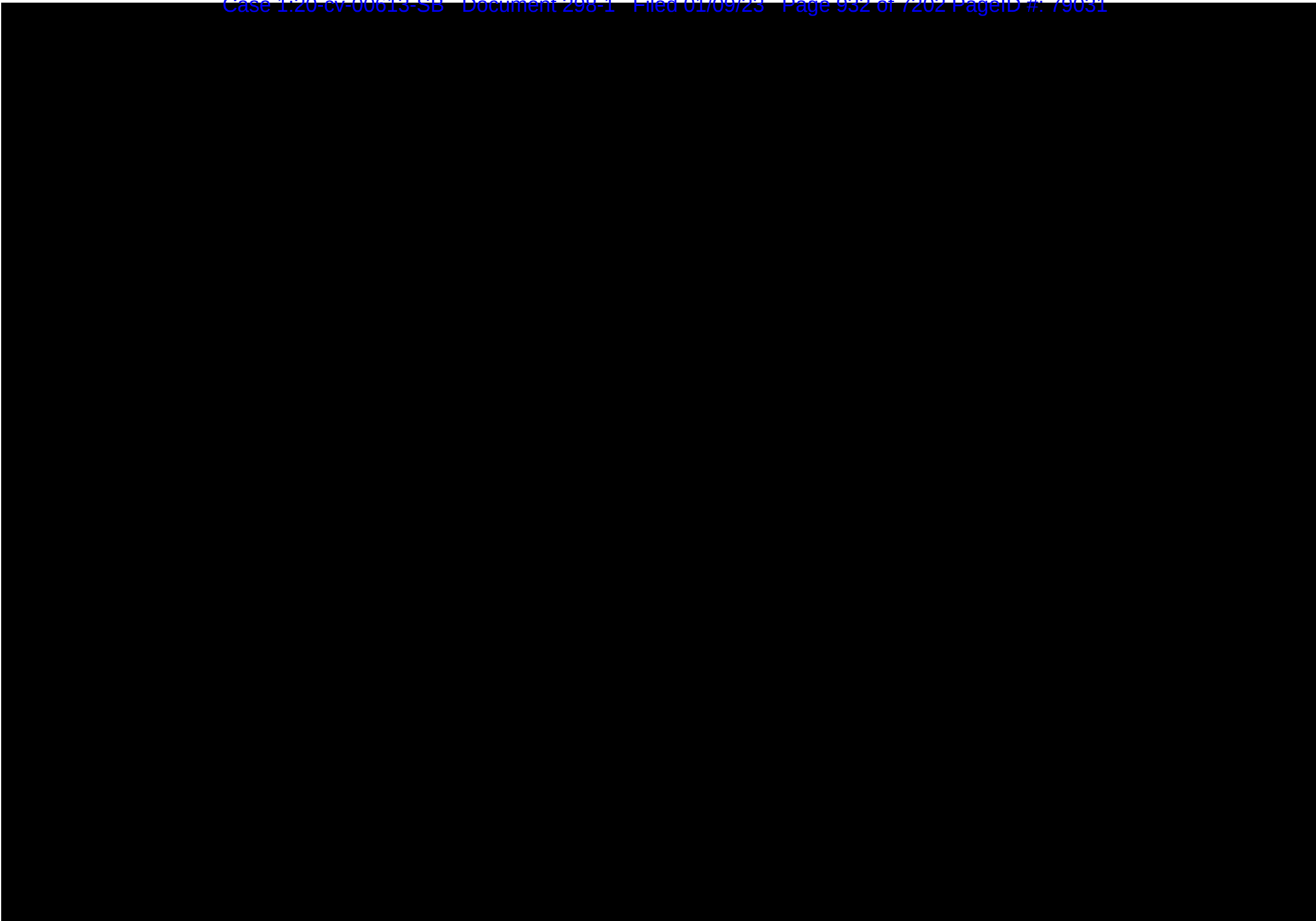


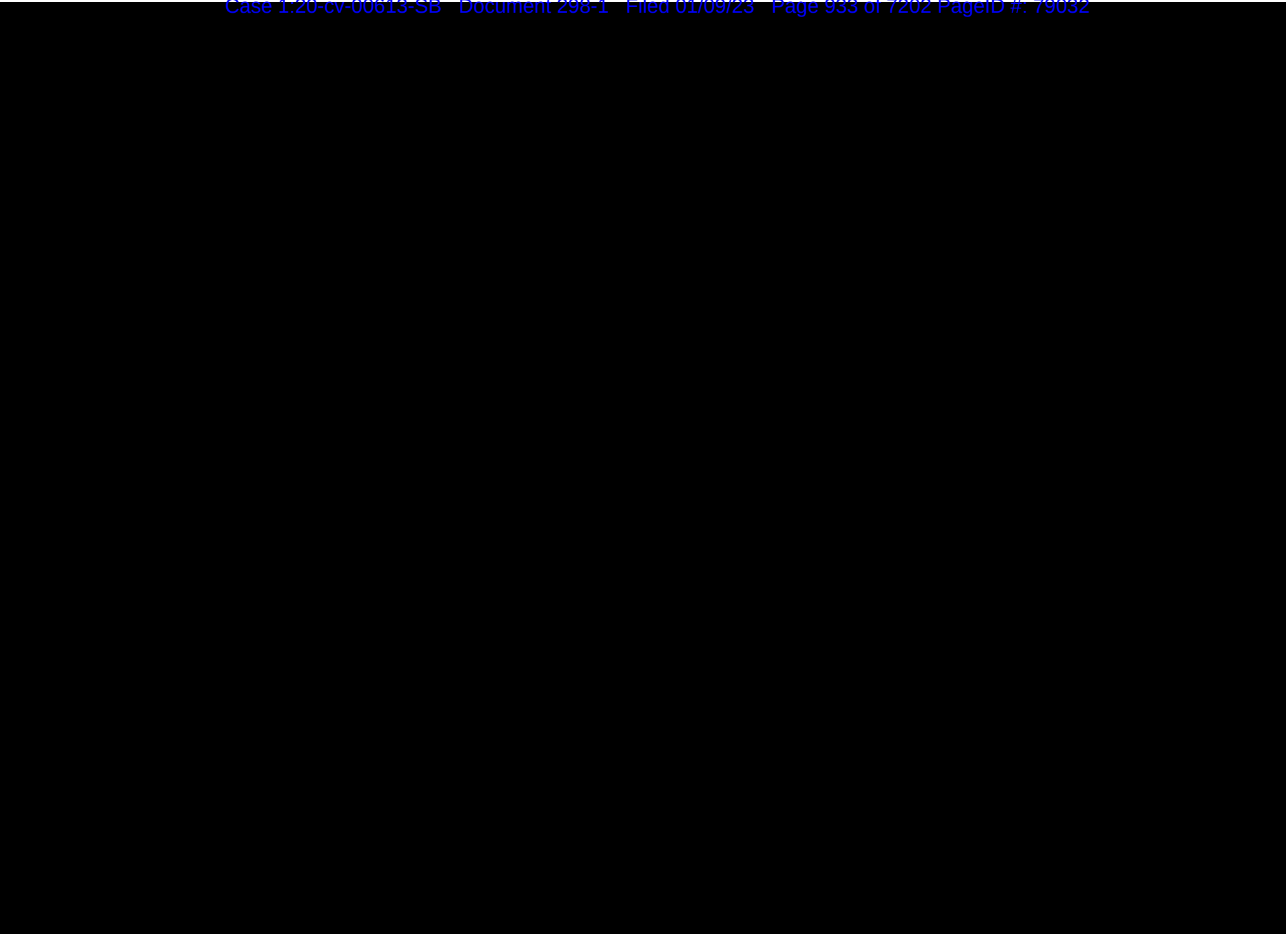




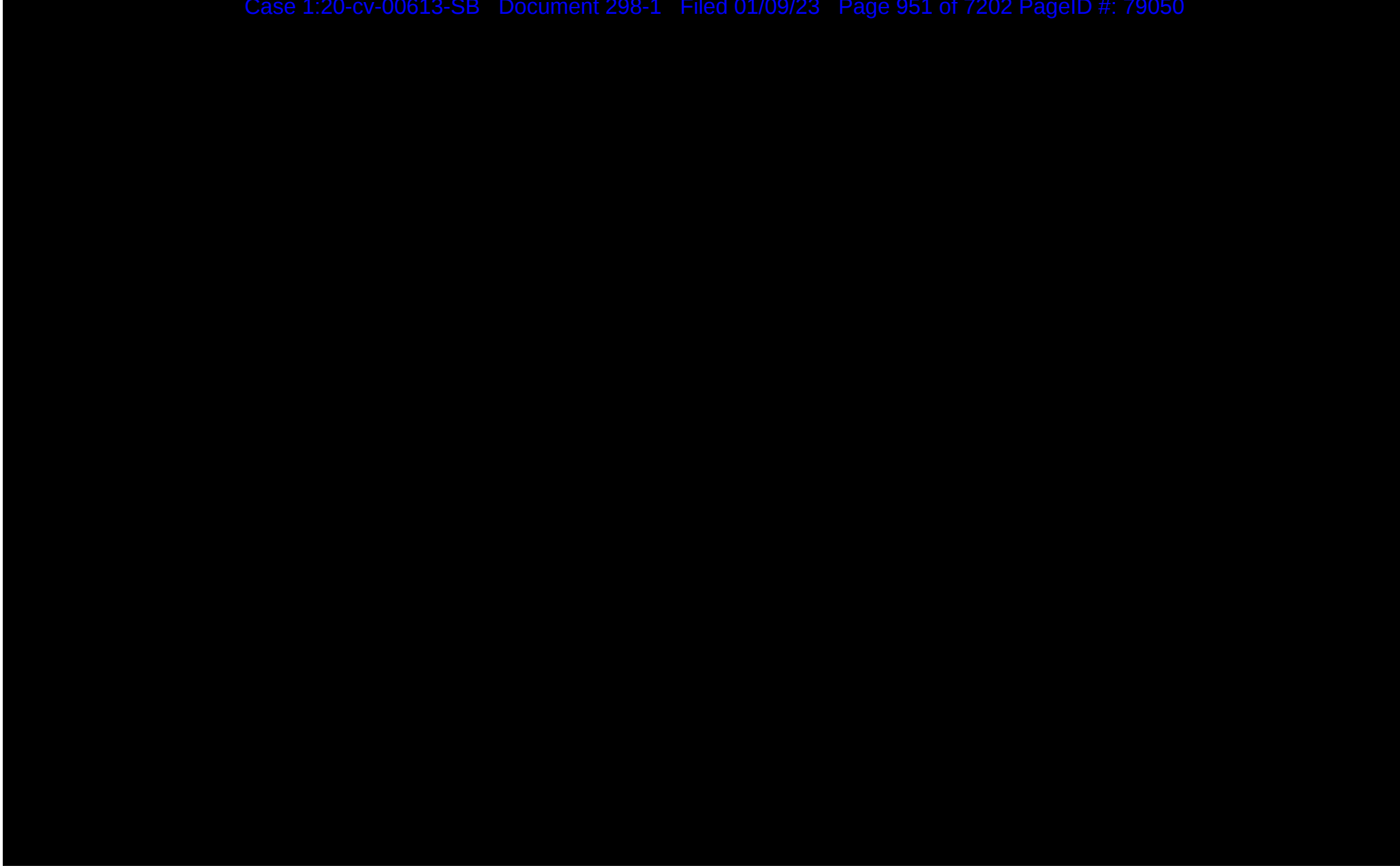


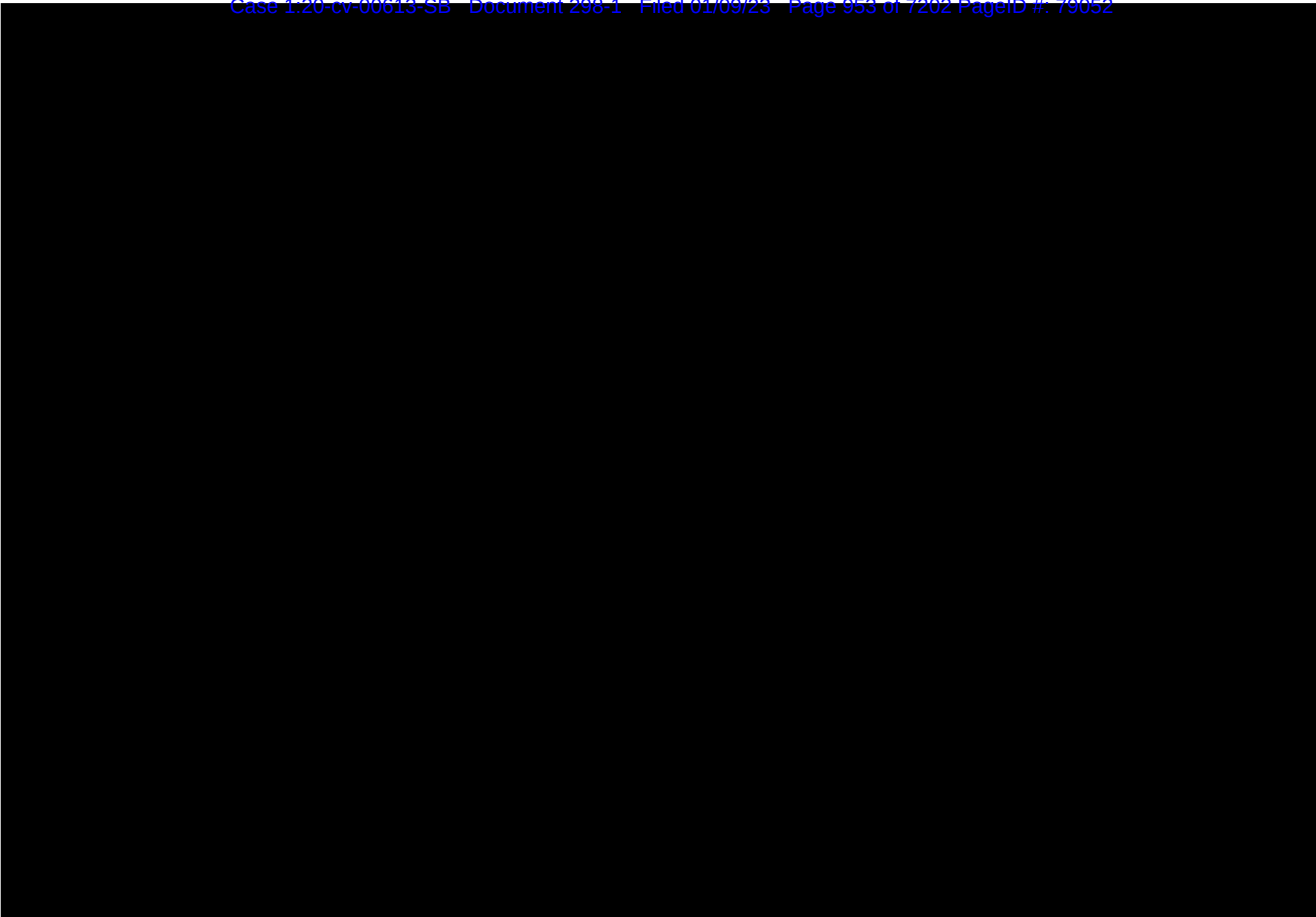


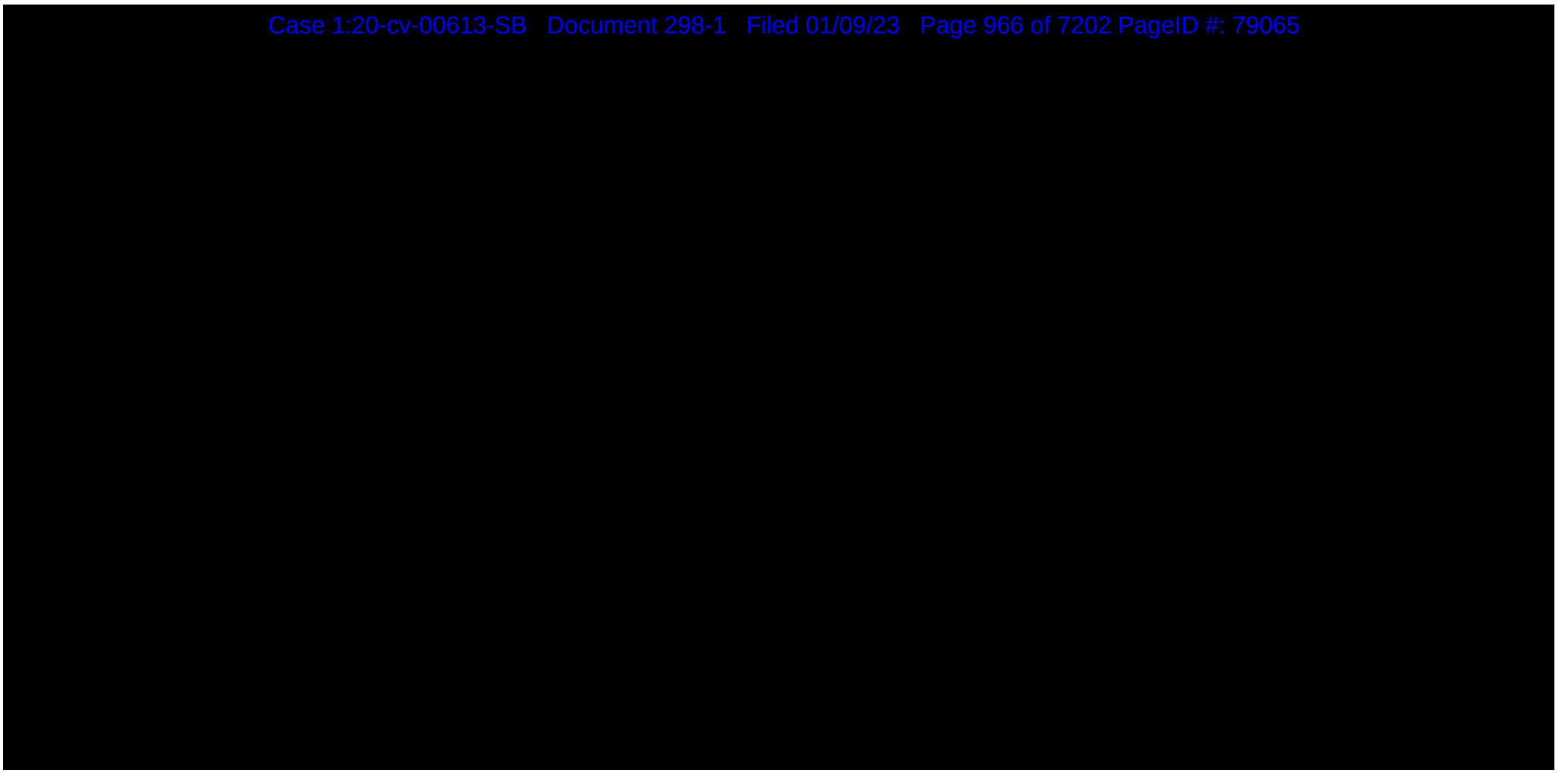


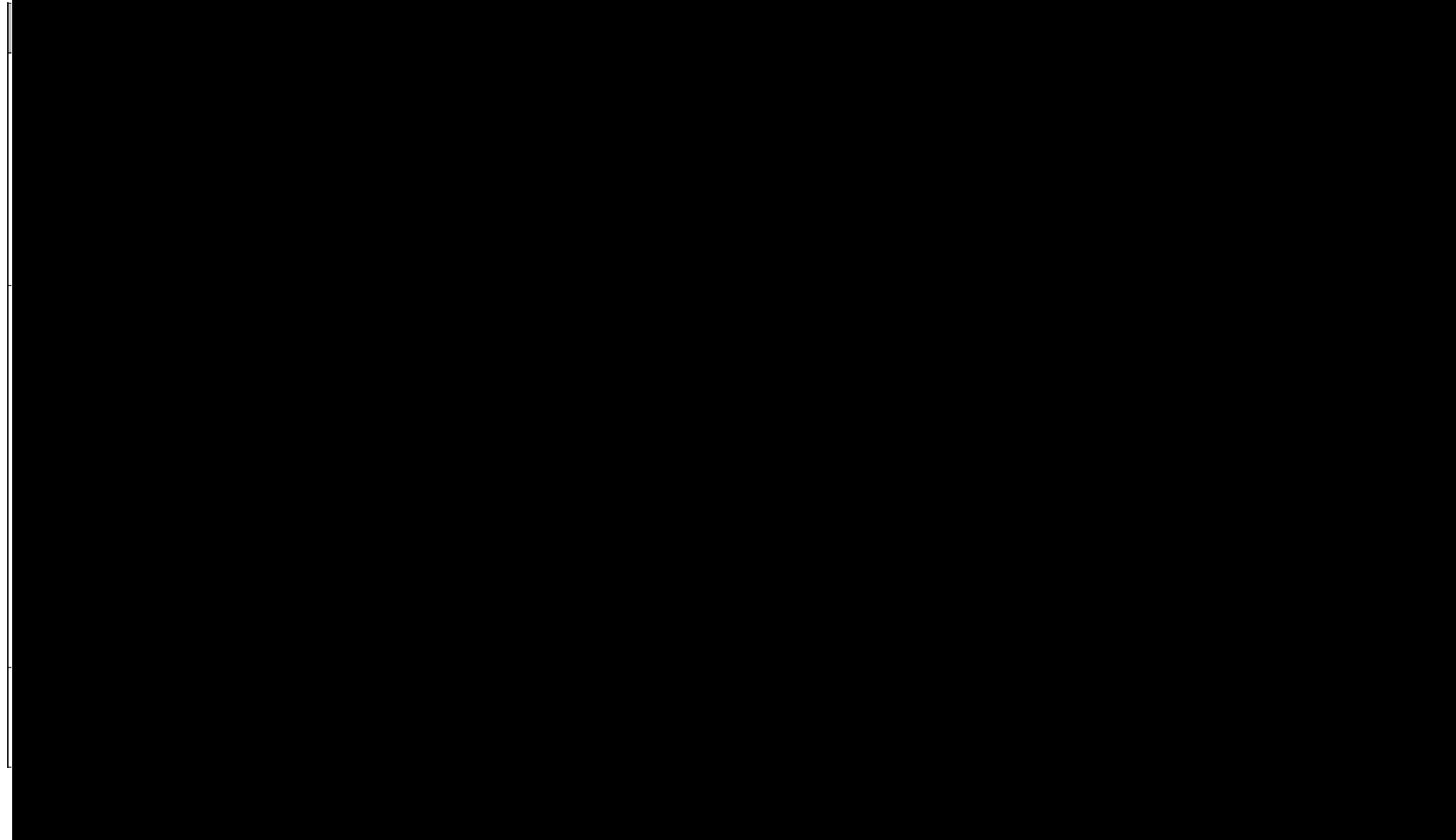


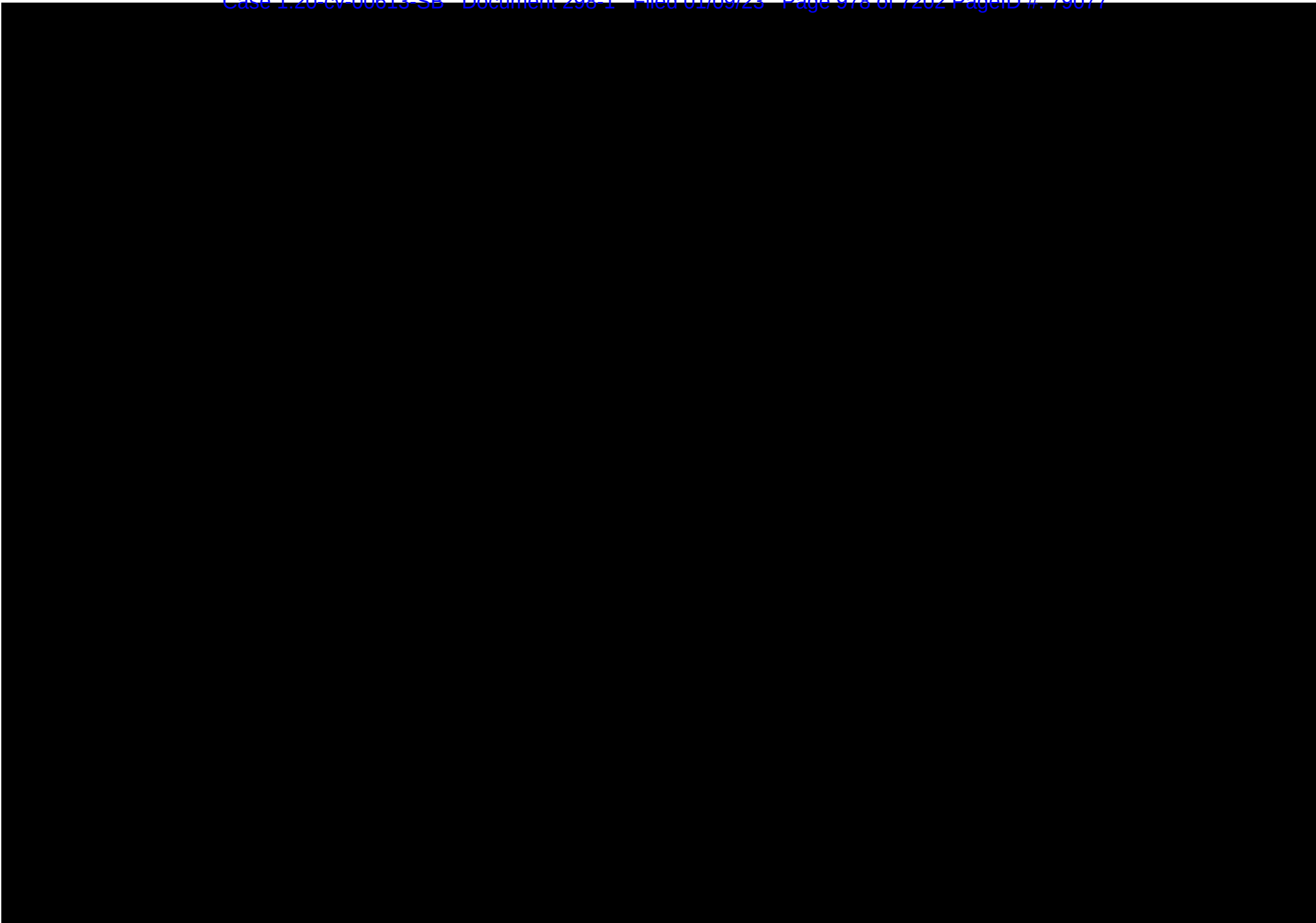


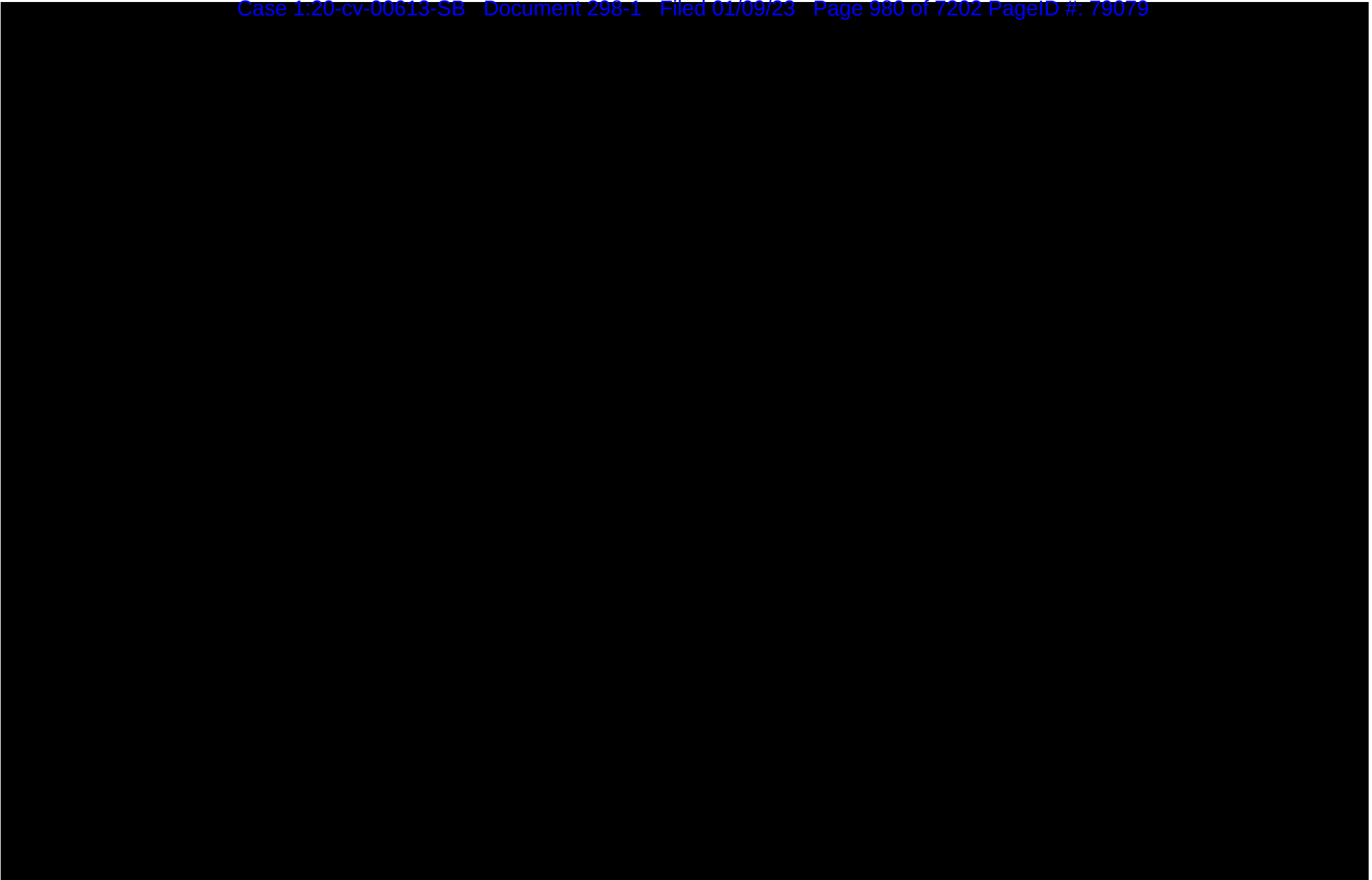


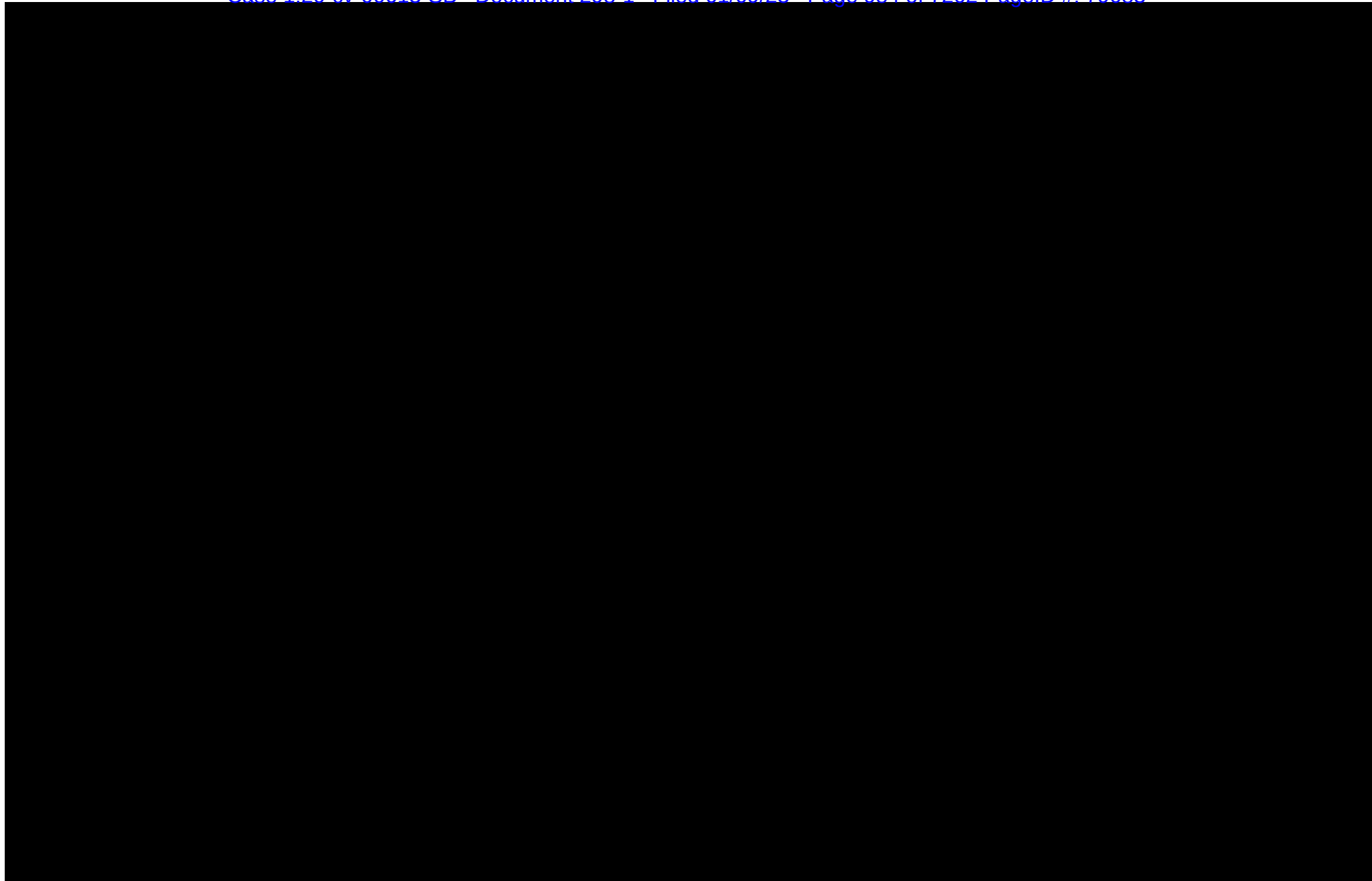












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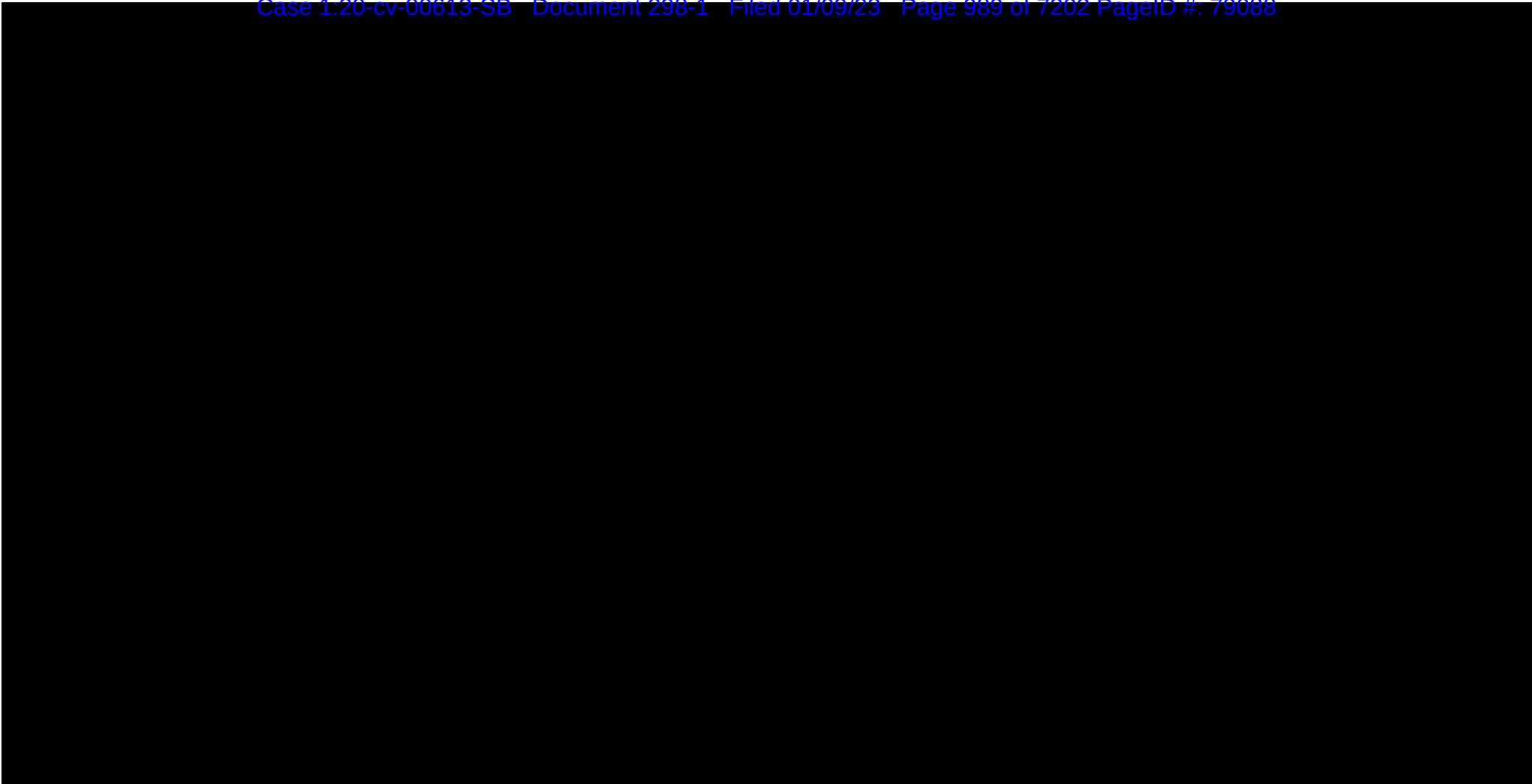
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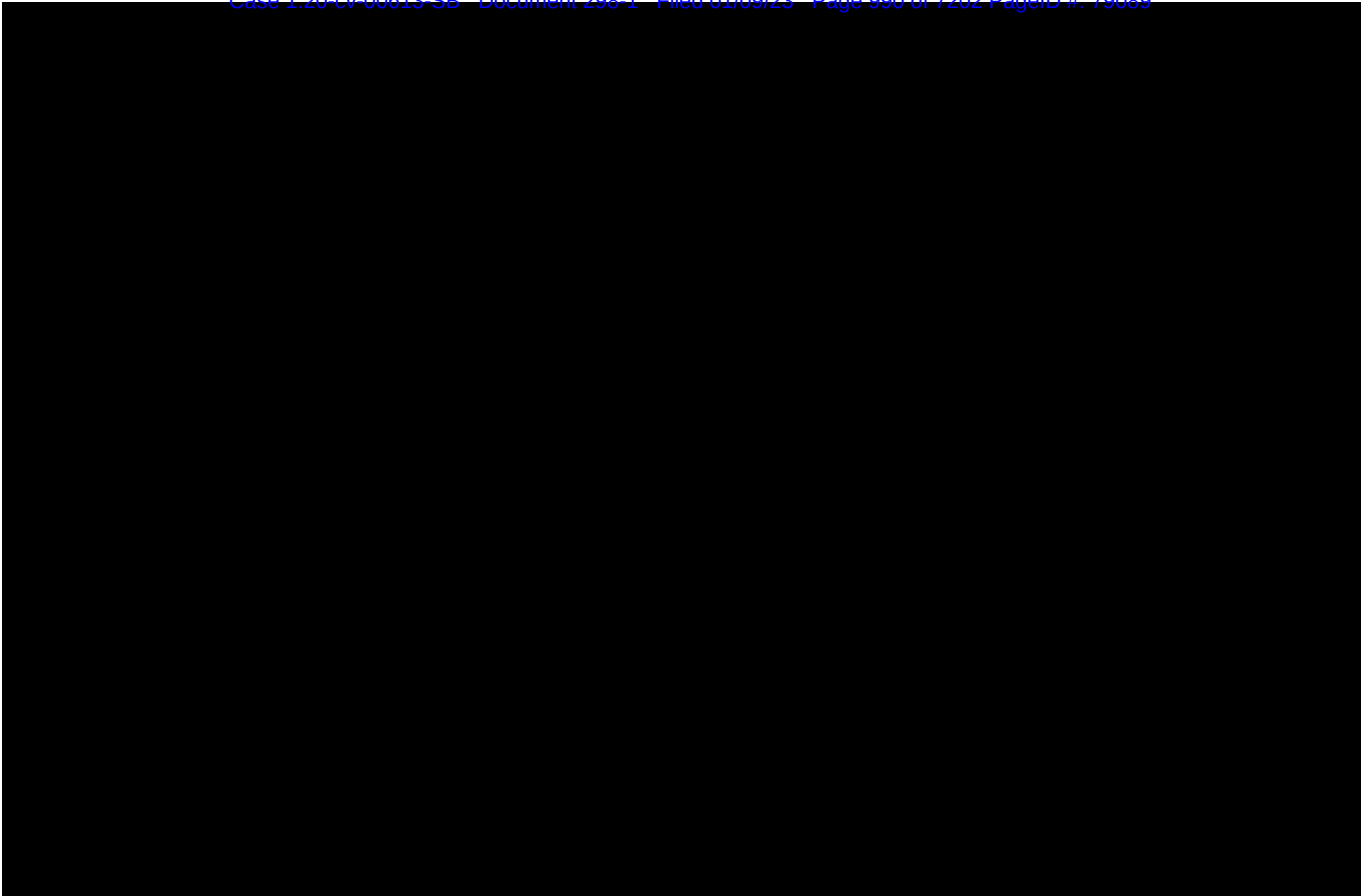
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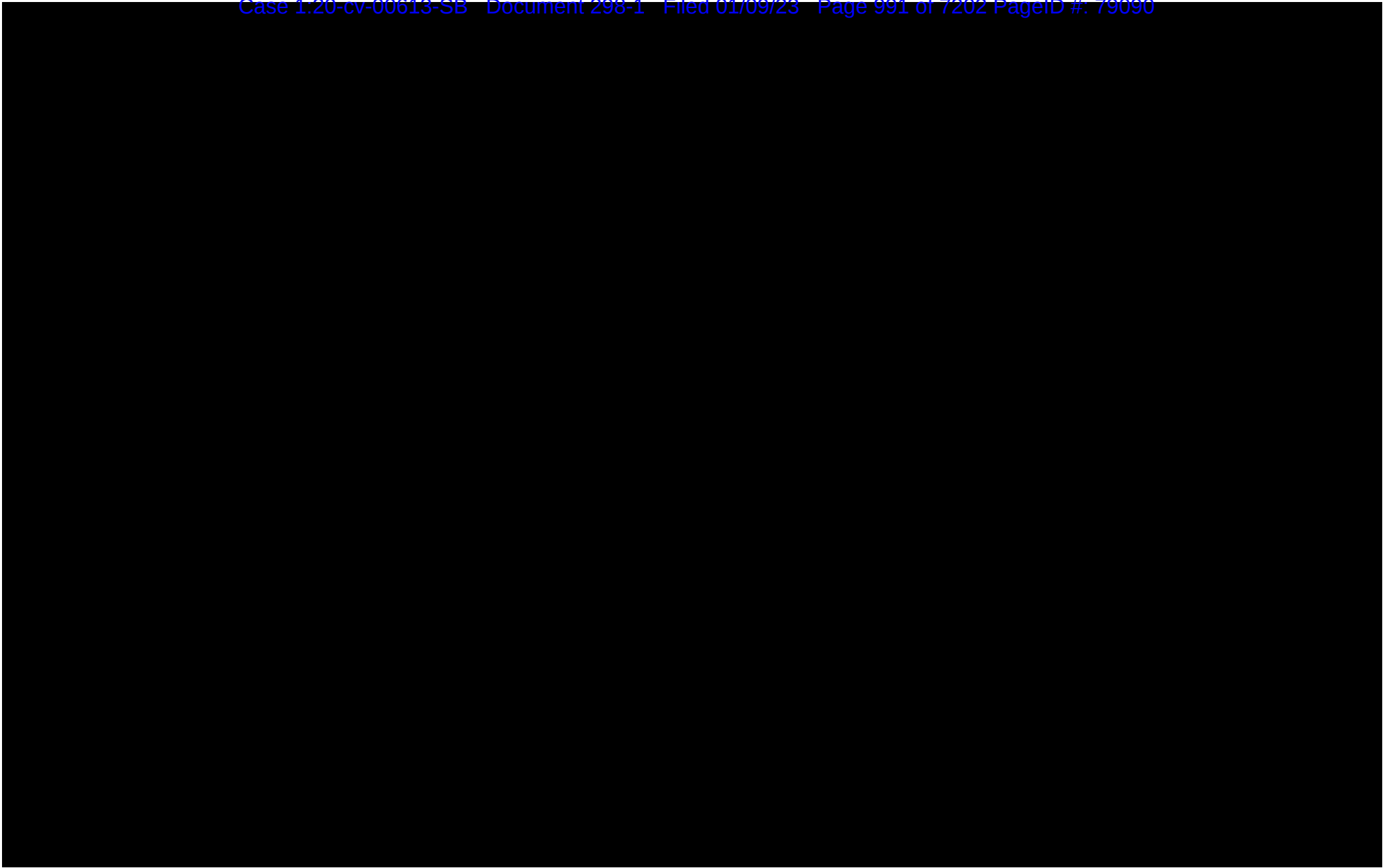
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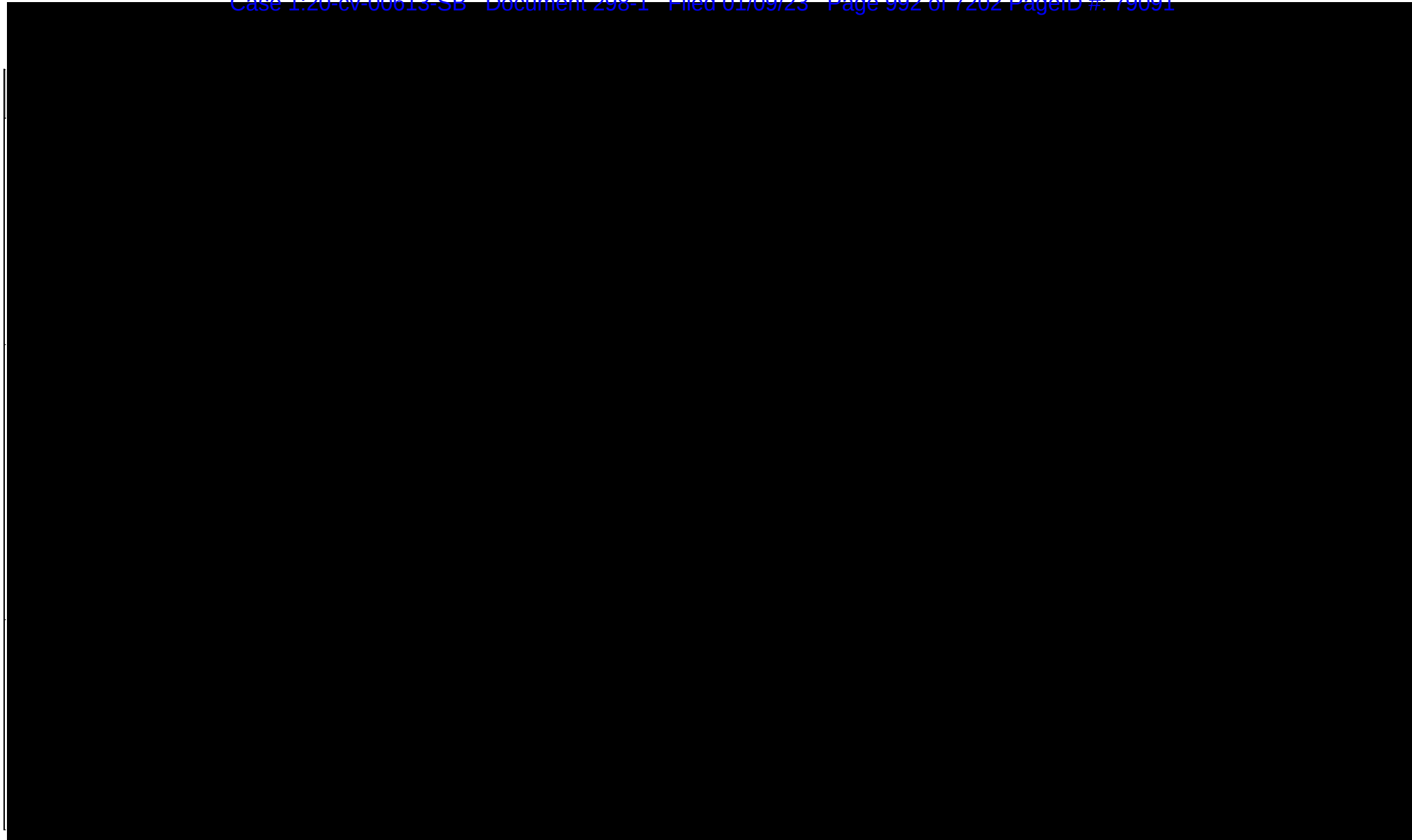
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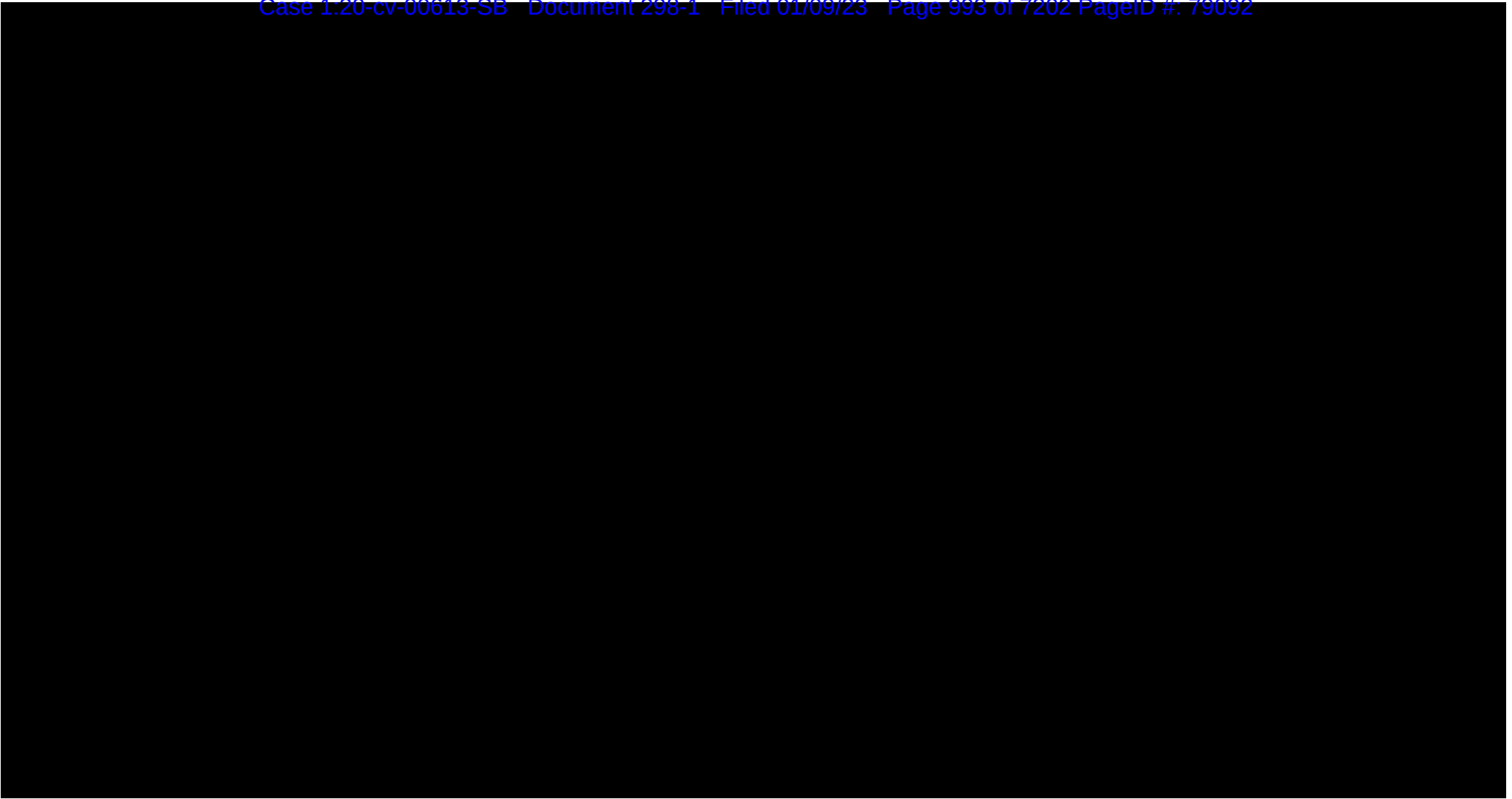
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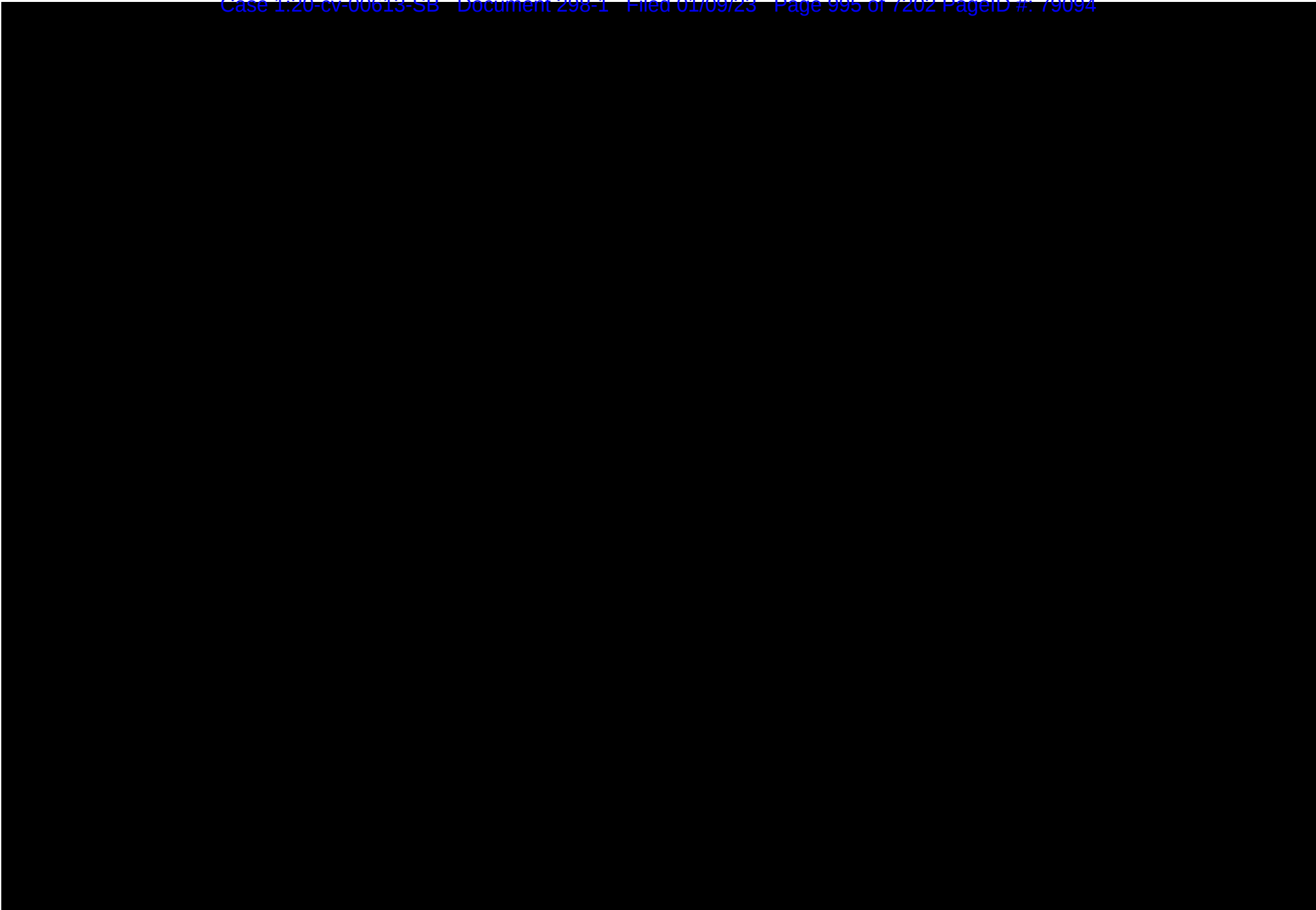


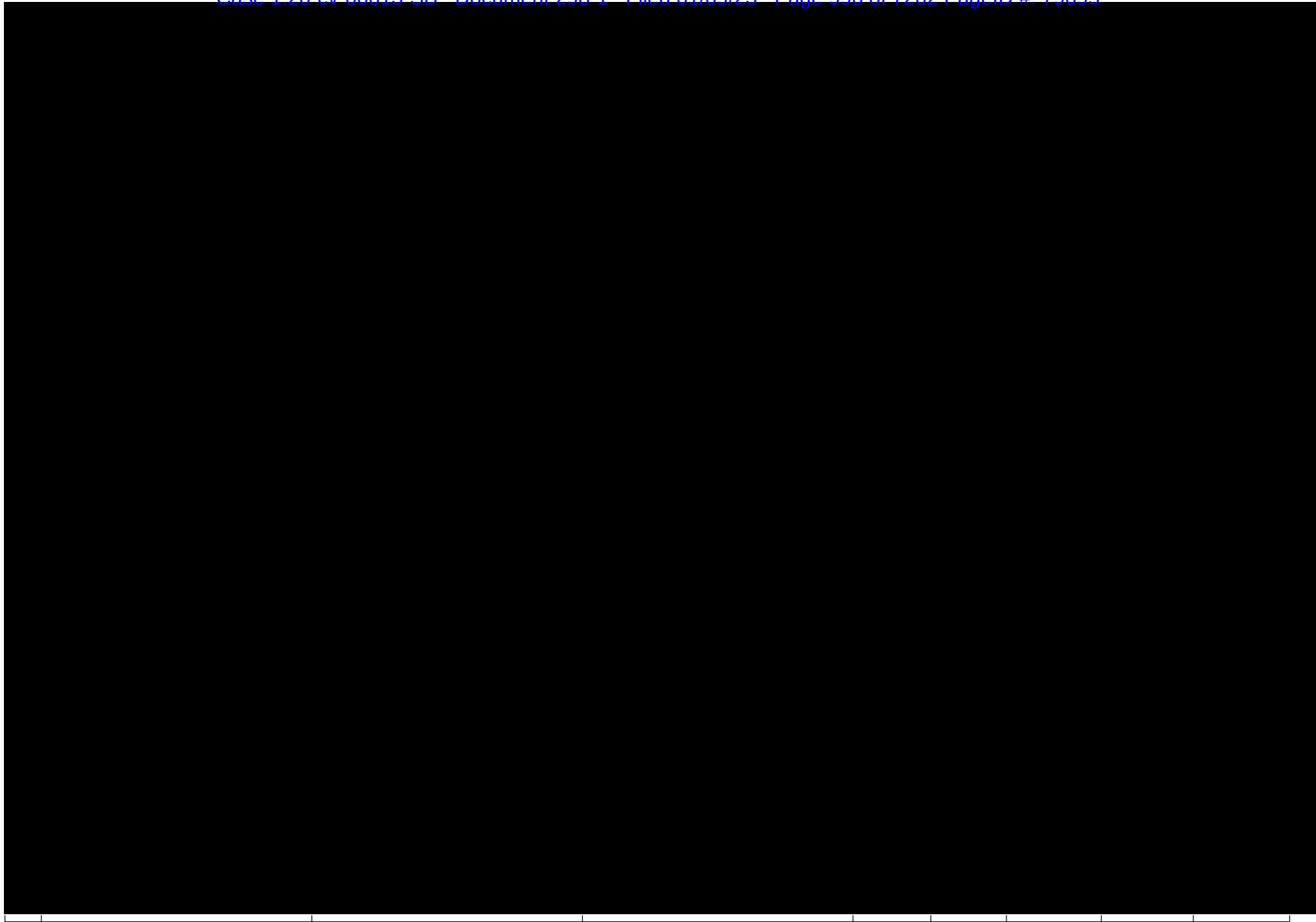


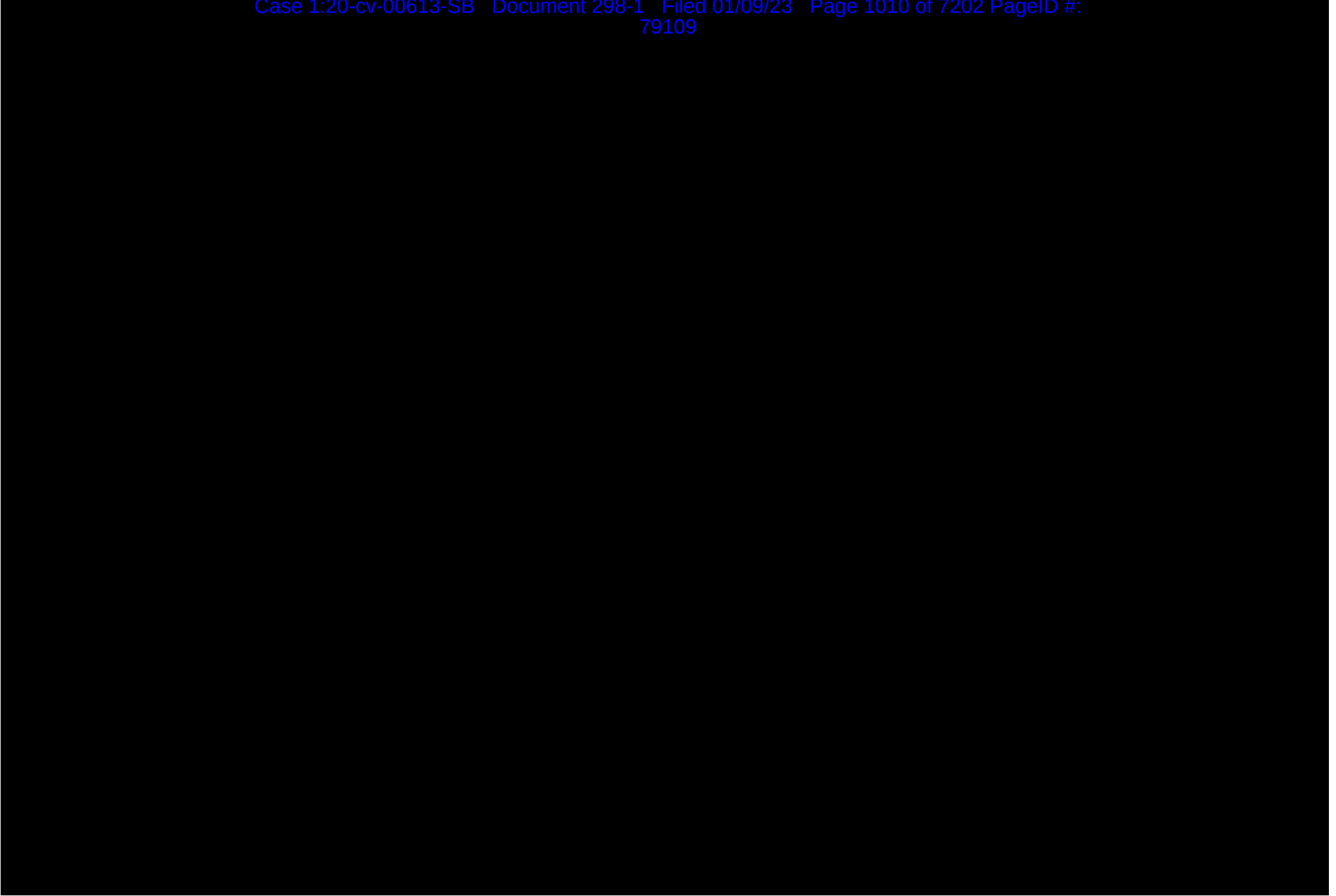


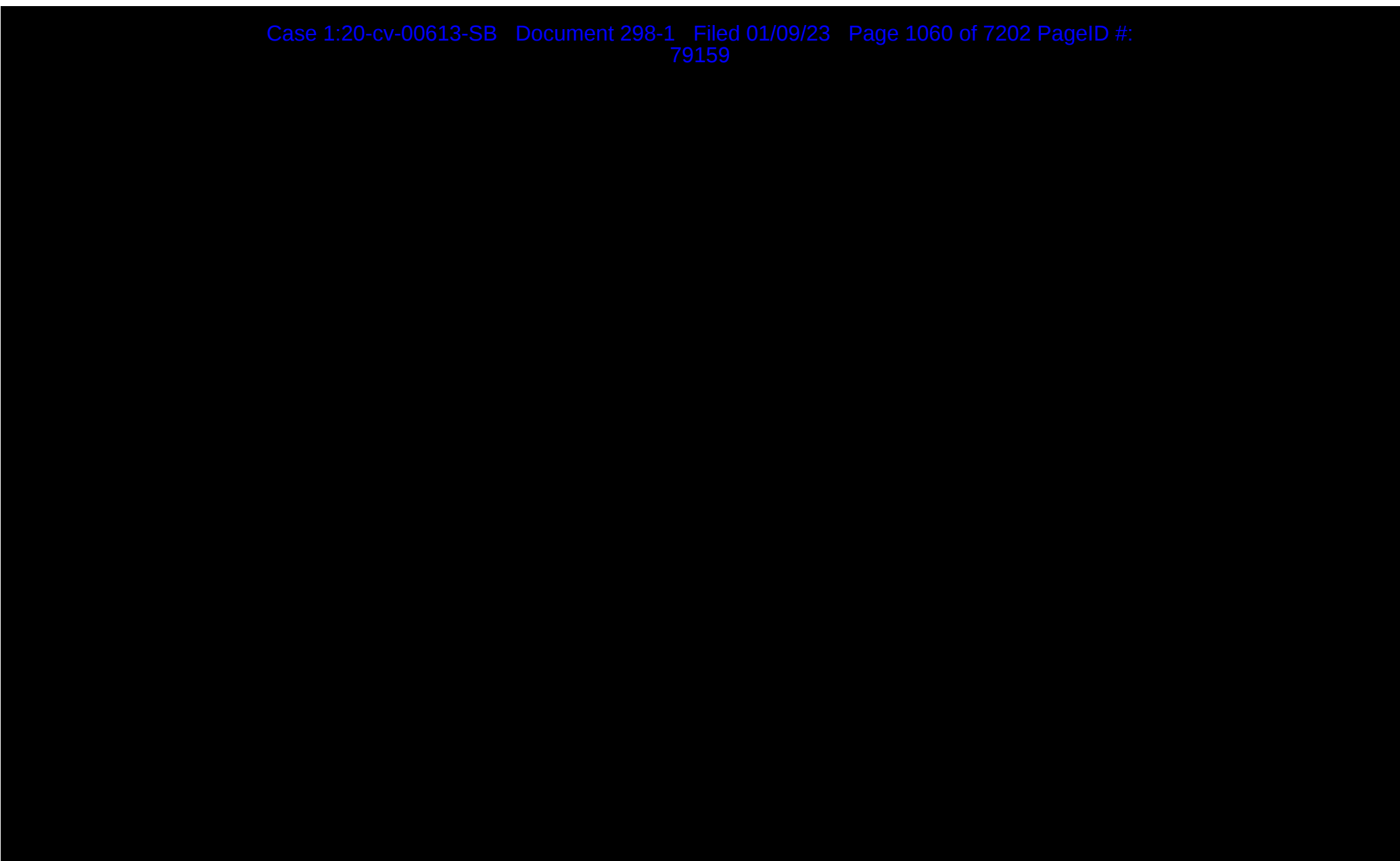


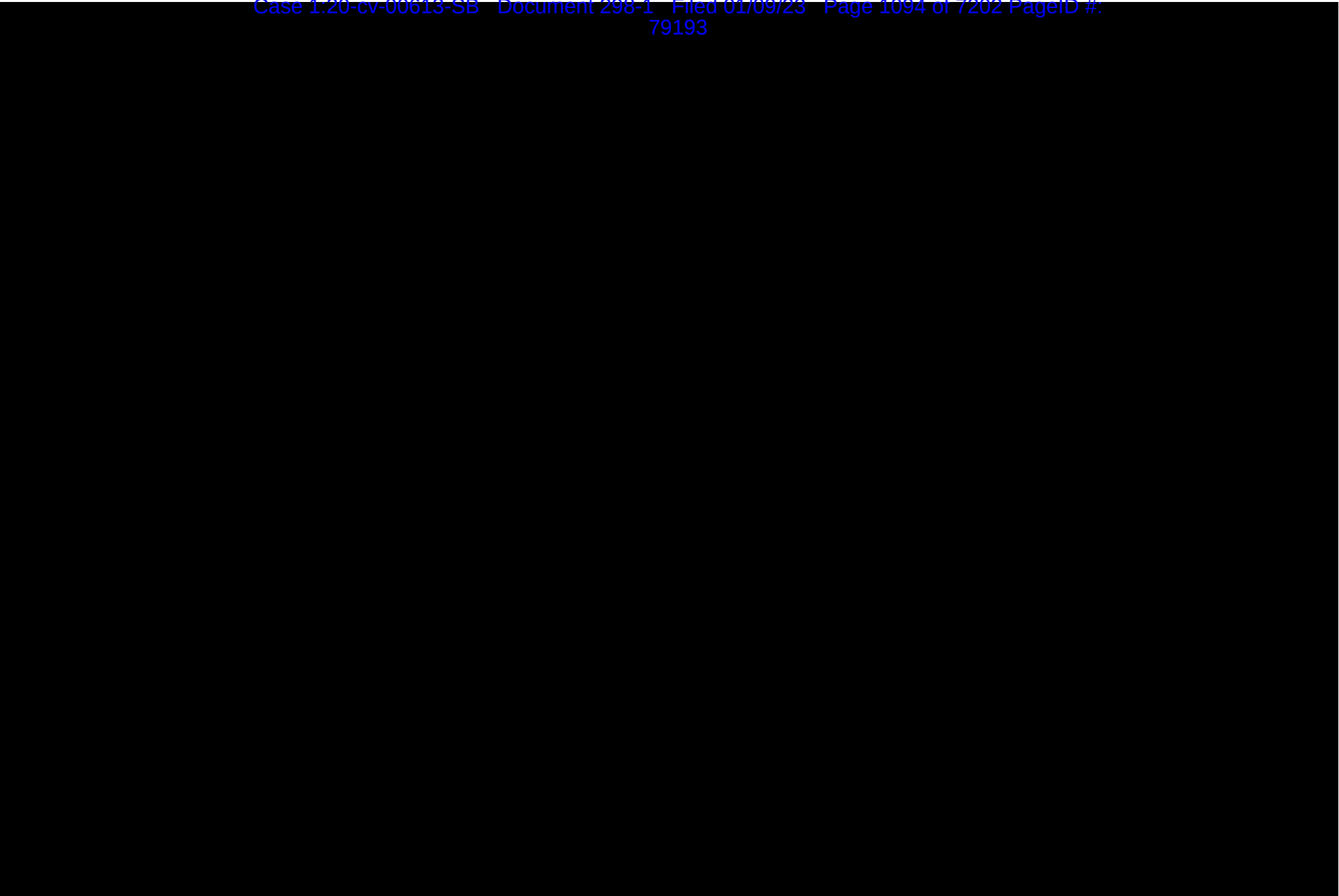


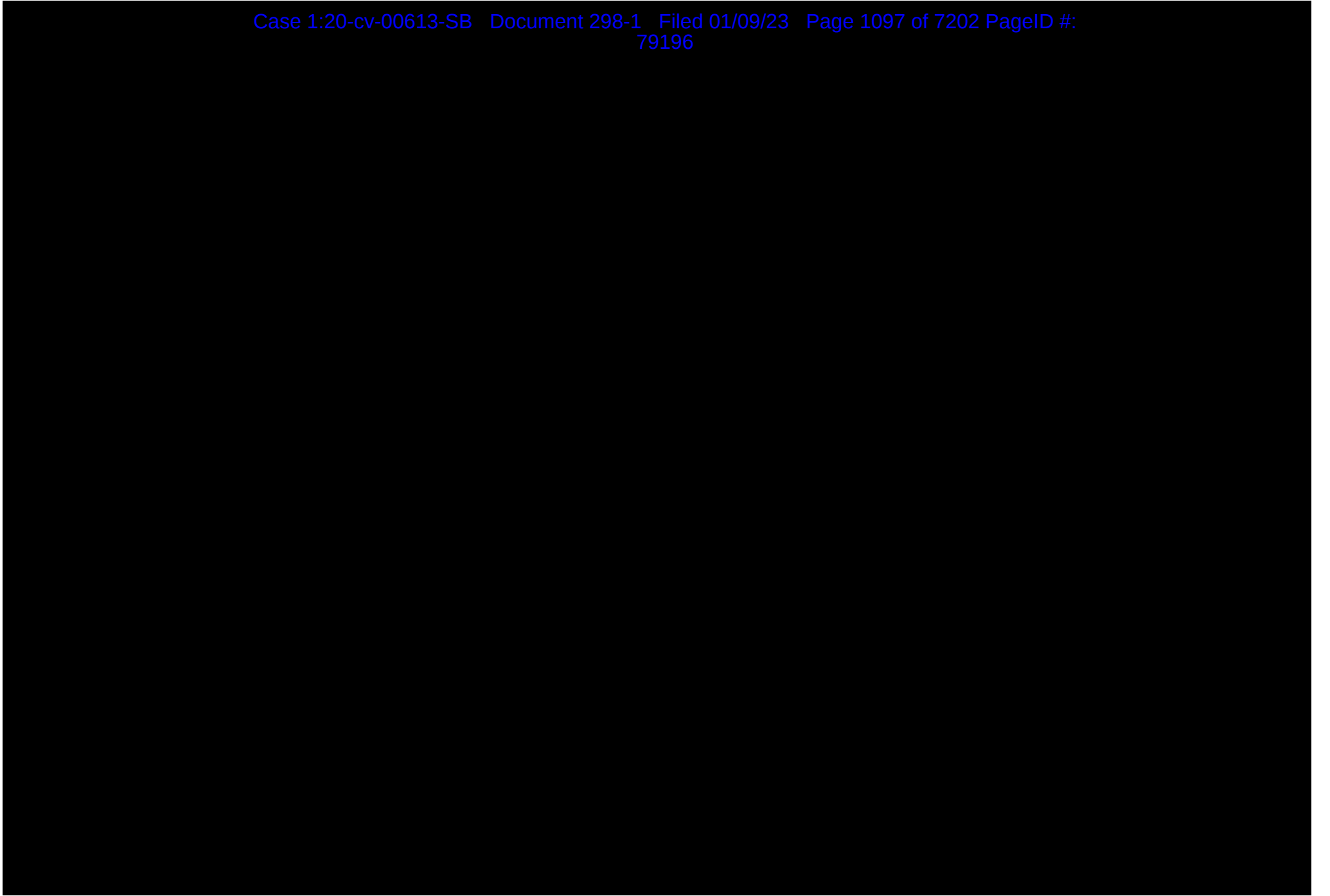


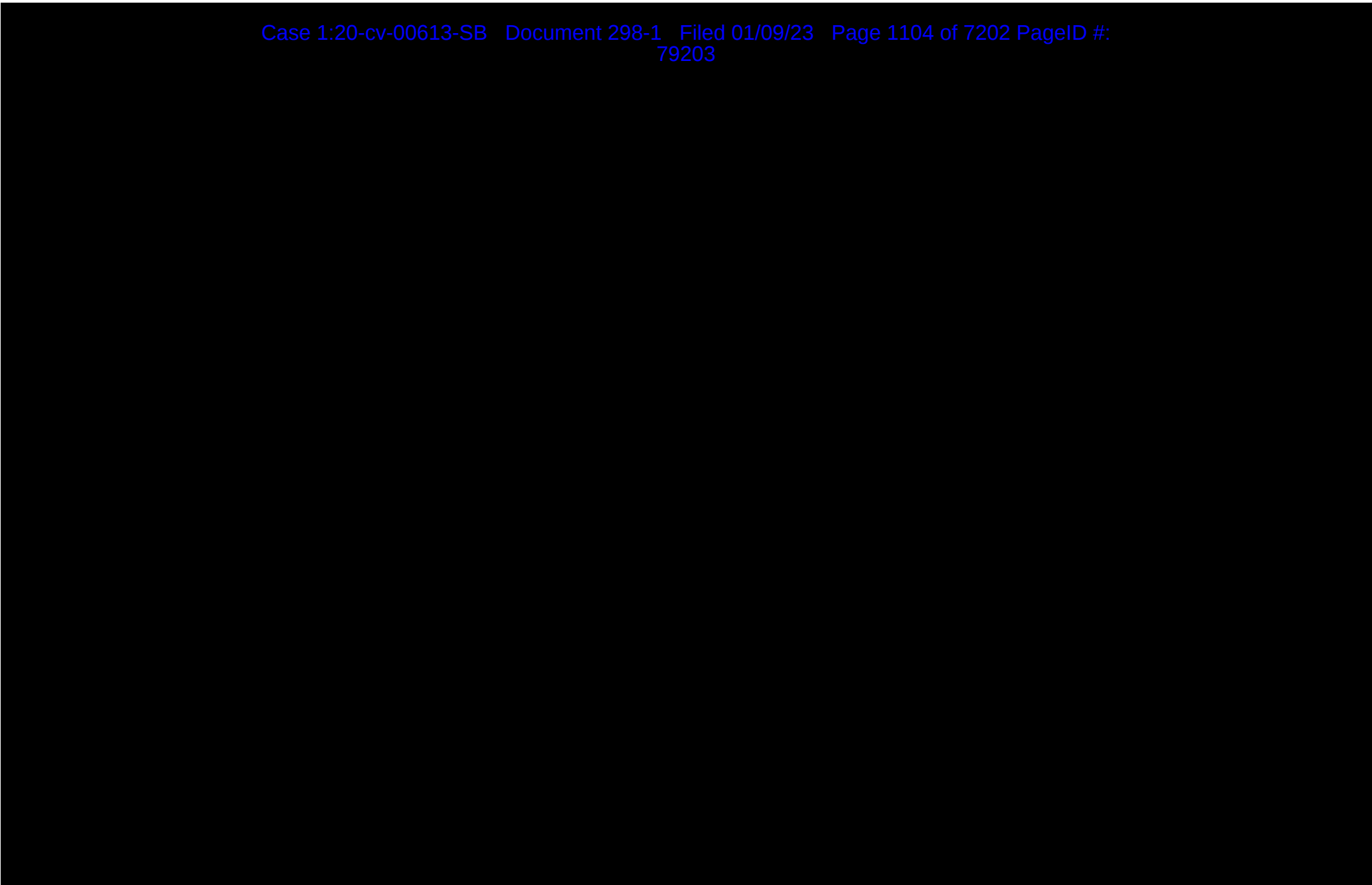


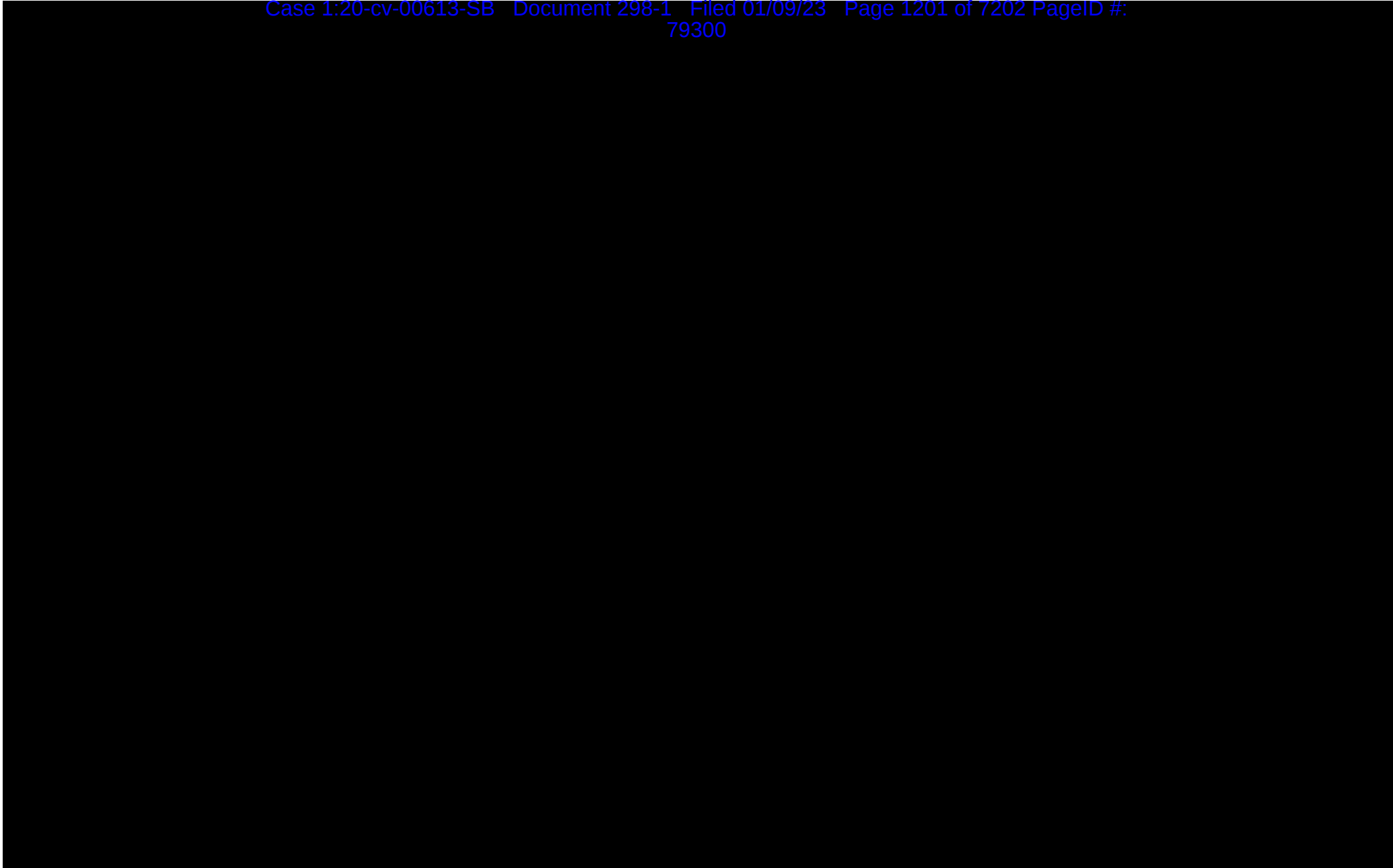












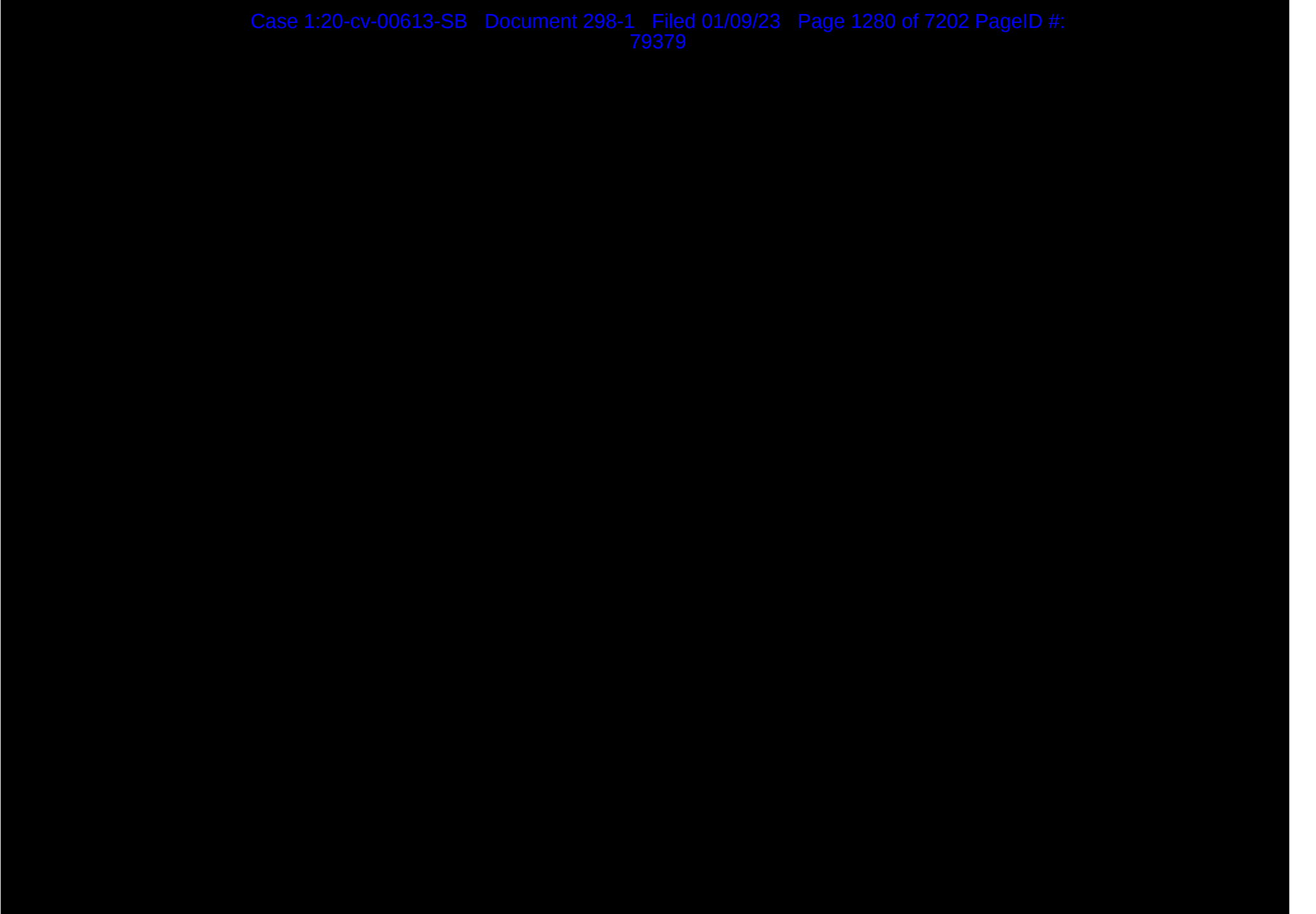


EXHIBIT 21:

Native Excel to be Lodged with Court

EXHIBIT 22

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

THOMSON REUTERS ENTERPRISE)	
CENTRE GMBH and WEST PUBLISHING)	
CORPORATION,)	
)	
Plaintiffs and)	C.A. No. 20-613-LPS
Counterdefendants,)	
)	
v.)	
)	
ROSS INTELLIGENCE INC.,)	
)	
Defendant and)	
Counterclaimant.)	

OPENING EXPERT REPORT OF DR. JONATHAN L. KREIN
HIGHLY CONFIDENTIAL - ATTORNEYS EYES ONLY

HIGHLY CONFIDENTIAL - ATTORNEY EYES ONLY

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APPENDICES

Appendix A: *Curriculum Vitae* of Jonathan L. Krein, Ph.D.

Appendix B: List of Materials Considered

Appendix C: Bulk Memos and West Headnotes Chart

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1. INTRODUCTION

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[REDACTED]

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[REDACTED]

[REDACTED]

HIGHLY CONFIDENTIAL - ATTORNEY EYES ONLY

2. SUMMARY OF OPINIONS

4.

5.

6.

HIGHLY CONFIDENTIAL - ATTORNEY EYES ONLY

[REDACTED]

[REDACTED]

7. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

8. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

3. **BACKGROUND AND EXPERT QUALIFICATIONS**

9. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

HIGHLY CONFIDENTIAL - ATTORNEY EYES ONLY

10.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

11.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

12.

[REDACTED]

[REDACTED]

HIGHLY CONFIDENTIAL - ATTORNEY EYES ONLY

[REDACTED]

[REDACTED]

13. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

14. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

HIGHLY CONFIDENTIAL - ATTORNEY EYES ONLY

[REDACTED]

[REDACTED]

[REDACTED]

15.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

16.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

HIGHLY CONFIDENTIAL - ATTORNEY EYES ONLY

[REDACTED]

[REDACTED]

[REDACTED]

17. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹ See <https://www.uvu.edu/catalog/current/departments/computer-science/computational-data-science-bs/>.

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3.1 Education, Industry, and Professional Experience

18.

[REDACTED]

19.

[REDACTED]

20.

[REDACTED]

HIGHLY CONFIDENTIAL - ATTORNEY EYES ONLY

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

21. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

22. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

HIGHLY CONFIDENTIAL - ATTORNEY EYES ONLY

[REDACTED]

[REDACTED]

23. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

24. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

3.2 [REDACTED]

25. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

HIGHLY CONFIDENTIAL - ATTORNEY EYES ONLY

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

26. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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27.

[REDACTED]

4. RETENTION AND COMPENSATION

28.

[REDACTED]

29.

[REDACTED]

5. SUMMARY OF MATERIALS AND INFORMATION CONSIDERED

30.

[REDACTED]

31.

[REDACTED]

HIGHLY CONFIDENTIAL - ATTORNEY EYES ONLY

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

32. [REDACTED]

[REDACTED]

6. LEGAL STANDARDS APPLIED IN THIS EXPERT REPORT

33. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

34. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

² 17 U.S.C. § 102(a).

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

35.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

36.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

³ United States Copyright Office. (March 2021). *Copyright Registration of Computer Programs*. Circular 61. <https://www.copyright.gov/circs/circ61.pdf>, p. 1.

⁴ <https://www.copyright.gov/reports/appendix.pdf>.

⁵ *Dun & Bradstreet Software Servs., Inc. v. Grace Consulting, Inc.*, 307 F.3d 197 (3d Cir. 2002).

⁶ *Feist Publ'ns, Inc. v. Rural Tel. Serv. Co., Inc.*, 499 U.S. 340, 345 (1991).

⁷ *Tanksley v. Daniels*, 902 F.3d. 165, 173 (3d Cir. 2018).

⁸ *Leonard v. Stemtech Int'l Inc.*, 834 F.3d 376, 388 (3d Cir. 2016); *see also Metro Goldwyn-Mayer Studios, Inc. v. Grokster, Ltd*, 545 U.S. 913, 914 (2005) (“One infringes contributorily by intentionally inducing or encouraging direct infringement, and infringes vicariously by profiting from direct infringement while declining to exercise a right to stop or limit it.”) (internal citations omitted).

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

37. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁹ *Leonard v. Stemtech Int'l Inc.*, 834 F.3d 376, 388 (3d Cir. 2016).

¹⁰ *Arista Recs., LLC v. Doe 3*, 604 F.3d 110, 118 (2d Cir. 2010) (stating that the knowledge standard for contributory liability “is an objective one; contributory infringement liability is imposed on persons who ‘know or have reason to know’ of the direct infringement”; also noting that willful blindness to infringement is sufficient); *see also In re: Aimster Copyright Litigation*, 334 F.3d 643, 650 (7th Cir. 2003) (“[w]illful blindness is knowledge”); *Glob.-Tech Appliances, Inc. v. SEB S.A.*, 563 U.S. 754, 769 (2011) (stating willful blindness requires that “(1) The defendant must subjectively believe that there is a high probability that a fact exists and (2) the defendant must take deliberate actions to avoid learning of that fact.”)

¹¹ 17 U.S.C. § 107; *see also Harper & Row Publishers, Inc. v. Nation Enters.*, 471 U.S. 539, 545 (1985).

¹² *Murphy v. Millennium Radio Grp. LLC*, 650 F.3d 295, 308 (3d Cir. 2011)

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38. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

7. RELEVANT TECHNOLOGIES

39. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

7.1 [REDACTED]

40. [REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]

¹³ *Kallok v. Medtronic, Inc.*, 573 N.W.2d 356, 362 (Minn. 1998). It is my understanding that ROSS contends California law applies to the tortious interference claim, which requires a plaintiff to prove “(1) it has a valid and existing contract with a third party; (2) defendants had knowledge of the contract; (3) defendants committed an intentional act designed to induce a breach or disrupt the contractual relationship; (4) actual breach or disruption of the contract relationship occurred; and (5) damages were suffered as a result.” *See Sebastian Int’l, Inc. v. Russolillo*, 162 F. Supp. 2d 1198, 1203 (C.D. Cal. 2001).

¹⁴ Russell, S. J. and Norvig, P. (2010). *Artificial Intelligence: A Modern Approach*, third edition. Pearson Education, p. 2.

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- [REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]

41. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

42. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

¹⁵ *Id.*, p. 4.

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

7.2 Machine Learning

43. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

44. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹⁶ Russell, S. and Norvig, P. (2021). *Artificial Intelligence: A Modern Approach*, fourth edition. Pearson Education, p. vii.

¹⁷ Garnelo, M. and Shanahan, M. (2019). *Reconciling deep learning with symbolic artificial intelligence: Representing objects and relations*. Current Opinion in Behavioral Sciences, vol. 29, pp. 17-23.

¹⁸ *Id.*, p. 17.

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[REDACTED]

45.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

46.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

47. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

48. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

7.3 Training Data

49. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹⁹ Russell, S. and Norvig, P. (2021). *Artificial Intelligence: A Modern Approach*, fourth edition. Pearson Education, p. 651.

²⁰ *Id.*, p. 2.

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[REDACTED]

50. [REDACTED]

[REDACTED]

51. [REDACTED]

[REDACTED]

²¹ See, e.g., Brownlee, J. (2022). *Machine Learning Mastery*.
<https://machinelearningmastery.com/>.

²² See, e.g., <https://towardsdatascience.com/train-validation-and-test-sets-72cb40cba9e7>.

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

52. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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7.4 [REDACTED]

53. [REDACTED]

[REDACTED]

[REDACTED]

54. [REDACTED]

[REDACTED]

55. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

56. [REDACTED]

[REDACTED]

²⁴ Russell, S. and Norvig, P. (2021). *Artificial Intelligence: A Modern Approach*, fourth edition. Pearson Education, p. 652.

²⁵ *Ibid.*

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57.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

7.5

[REDACTED]

58.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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59. [REDACTED]

[REDACTED]

[REDACTED]

7.6 [REDACTED]

60. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

61. [REDACTED]

[REDACTED]

[REDACTED]

²⁶ Brownlee, J. (2017). *Deep Learning for Natural Language Processing*. http://ling.snu.ac.kr/class/AI_Agent/deep_learning_for_nlp.pdf, p. 2.

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8. OVERVIEW OF THE RELEVANT PARTIES AND PRODUCTS

8.1 [REDACTED]

8.1.1 [REDACTED]

62. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

63. [REDACTED]
[REDACTED]

²⁷ Thomson Reuters Corporation 2021 Annual Report, pp. 102, 116, 189.

²⁸ 2022 Strategic Growth Priorities, Thomson Reuters Corporation 2021 Annual Report, p. 6.

²⁹ *Id.*, p. 8.

³⁰ *Id.*

³¹ TR-0359959–TR-0360216 ([REDACTED])

[REDACTED]; *see also* A. Martens Dep. Tr. 202:22–203:4 [REDACTED]

[REDACTED] (objection omitted).

³² Thomson Reuters Corporation 2021 Annual Report, p. 189.

³³ *See generally* TR-0033982–TR-0034560 [REDACTED] *see also* E. Lindberg Dep. Tr. 18:11–14 [REDACTED]
[REDACTED]

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[REDACTED]

[REDACTED]

8.1.2 [REDACTED]

64. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

³⁴ See A. Martens Dep. Tr. 154:23-155:14

[REDACTED]

201:19-202:7

0358927-TR-0358948
TR-0358967-TR-0358988 ([REDACTED] *see also* TR-
, effective January 1, 2014;

³⁵ A. Arruda Dep. Tr. 59:3-5

[REDACTED]

68:1-11

³⁶ “Features,” <https://www.rossintelligence.com/features>.

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[REDACTED]

[REDACTED]

8.1.3

[REDACTED]

65.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

³⁷ ROSS's Supplemental Responses and Objections to Plaintiffs' First Set of Interrogatories, February 22, 2022, Supplemental Answer to Interrogatory No. 2, pp. 8–9.

³⁸ TR-0037677-TR-0037680

[REDACTED]

³⁹ ROSS's Supplemental Responses and Objections to Plaintiffs' First Set of Interrogatories, February 22, 2022, Supplemental Answer to Interrogatory No. 2, p. 11.

⁴⁰ T. Whitehead Dep. Tr. 26:16-27:10

[REDACTED]

(objection omitted).

⁴¹ See A. Martens Dep. Tr. 229:25–230:2

see also ROSS-003389728-ROSS-003389730

TR-0002812-TR-0002814

⁴² TR-0002779-TR-0002781

[REDACTED]

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[REDACTED]

[REDACTED]

8.1.4

[REDACTED]

66.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁴³ TR-0002812-TR-0002814 (

[REDACTED]

⁴⁴ C. Cahn Dep. Tr. 16:15–24

[REDACTED]

⁴⁵ TR-0039933-TR-0039942

[REDACTED]

⁴⁶ T. Hafeez Dep. Tr. 237:10–16

[REDACTED]

⁴⁷ R-LEGALEASE-00048772-R-LEGALEASE-00048776 at ‘772

[REDACTED]

[REDACTED]

HIGHLY CONFIDENTIAL - ATTORNEY EYES ONLY

[REDACTED]

[REDACTED]

8.2 [REDACTED]

8.2.1 [REDACTED]

67. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

68. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁴⁸ C. Cahn Dep. Tr. 72:25–73:7 [REDACTED]

⁴⁹ *See, e.g.*, TR-0179838-TR-0179842 ([REDACTED]
[REDACTED]; TR-0179830- TR-0179837
[REDACTED]; TR-0432528-TR-0432533 [REDACTED]

⁵⁰ *See generally* L. Oliver Dep. Tr., pp. 26-27, 31-34.

⁵¹ L. Oliver Dep. Tr. 51:17–52:8 [REDACTED]

⁵² L. Oliver Dep. Tr. 26:19–27:4 [REDACTED]

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69. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

70. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

71. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁵³ L. Oliver Dep. Tr. 27:16-24 [REDACTED]

[REDACTED]

[REDACTED], 30:7-13

[REDACTED]

⁵⁴ A. Martens Dep. Tr. 142:7-20 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁵⁵ See generally TR-0002864-TR-0003137 [REDACTED]

[REDACTED]

⁵⁶ L. Oliver Dep. Tr. 227:16-228:23 [REDACTED]

[REDACTED]

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72. [REDACTED]

[REDACTED]

73. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Id.

⁵⁷ See, e.g., TR-0179838-TR-0179842 [REDACTED]; TR-0179830- TR-0179837 ([REDACTED] TR-0432528-TR-0432533 ([REDACTED] TR-0002864-TR-0003137 ([REDACTED])); Plaintiffs' Second Supplemental Response to ROSS's Interrogatory No. 1, March 23, 2022, p. 9.

⁵⁸ *Id.*; L. Oliver Dep. Tr., pp. 198-211, 340-341.

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[REDACTED]

74.

[REDACTED]

⁵⁹ L. Oliver Dep. Tr., pp. 198-211, 340-341.

⁶⁰ Plaintiffs' Second Supplemental Response to ROSS's Interrogatory No. 1, March 23, 2022, pp. 8-9.

⁶¹ See A. Martens Dep. Tr. 274:4-13

[REDACTED] *see also* TR-0033982-TR-0034560 [REDACTED] TR-0003138-TR-0033981 [REDACTED]

⁶² See TR-0034557-TR-0034560; *see also* A. Martens Dep. Tr. 162:4-17

[REDACTED]

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[REDACTED]

[REDACTED]

8.2.2 [REDACTED]

75. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

76. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁶³ See generally TR-0033982–TR-0034560 (Westlaw Copyright Registrations).

⁶⁴ TR-0037669-TR-0037676 (Our AI Timeline).

⁶⁵ K. Al-Kofahi Dep. Tr. 11:13-17:5.

⁶⁶ I. Moulinier Dep. Tr. 72:13-87:18; *see also* WestSearch Plus, <https://legal.thomsonreuters.com/en/products/Westlaw-edge/westsearch-plus>.

⁶⁷ I. Moulinier Dep. Tr. 72:13-74:10.

⁶⁸ I. Moulinier Dep. Tr. 74:11-13.

HIGHLY CONFIDENTIAL - ATTORNEY EYES ONLY

[REDACTED]

[REDACTED]

77. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

78. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁶⁹ I. Moulinier Dep. Tr. 73:18-74:10.

⁷⁰ K. Al-Kofahi Dep. Tr. 20:3-21:20.

⁷¹ “WestSearch Plus,” <https://legal.thomsonreuters.com/en/products/Westlaw-edge/westsearch-plus>.

⁷² K. Al-Kofahi Dep. Tr. 43:15-48:5.

⁷³ “WestSearch Plus,” <https://legal.thomsonreuters.com/en/products/Westlaw-edge/westsearch-plus>.

⁷⁴ *Id.*

⁷⁵ *Id.*

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[REDACTED]

[REDACTED]

[REDACTED]

79. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁷⁶ K. Al-Kofahi Dep. Tr. 41:12–15 [REDACTED]
[REDACTED]

⁷⁷ I. Moulinier Dep. Tr. 108:19–24 [REDACTED]
[REDACTED]

⁷⁸ I. Moulinier Dep. Tr. 104:18–20 [REDACTED]
[REDACTED]

⁷⁹ I. Moulinier Dep. Tr. 78:2–4; *see also* TR-0884952–TR-0884970 ([REDACTED])
[REDACTED]

⁸⁰ TR-0884952–TR-0884970 at TR-0884962 [REDACTED]
[REDACTED]

⁸¹ K. Al-Kofahi Dep. Tr. 44:3–15 [REDACTED]
[REDACTED]
(objection omitted).

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80. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

8.2.3 [REDACTED]

81. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁸² I. Moulinier Dep. Tr. 126:11–21 [REDACTED] (objection omitted).

⁸³ I. Moulinier Dep. Tr. 143:6–11 [REDACTED]

⁸⁴ See generally A. Arruda Dep. Tr., pp. 58-60.

⁸⁵ “How is Natural Language Search Changing The Face of Legal Research?,” <https://blog.rossintelligence.com/post/how-natural-language-search-changing-face-of-legal-research>.

⁸⁶ A. Arruda Dep. Tr. 114:10–20 [REDACTED]

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[REDACTED]

[REDACTED]

82.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(objection omitted).

⁸⁷ A. Arruda Dep. Tr. 114:25–115:11

[REDACTED]

⁸⁸ ROSS's Supplemental Responses and Objections to Plaintiffs' First Set of Interrogatories, February 22, 2022, Supplemental Answer to Interrogatory No. 2, p. 12.

⁸⁹ *Id.*

⁹⁰ ROSS-003334354

[REDACTED]

[REDACTED] ROSS's Supplemental Responses and Objections to Plaintiffs' First Set of Interrogatories, February 22, 2022, Supplemental Answer to Interrogatory No. 2, p. 12.

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83. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

9. [REDACTED]

84. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

9.1 [REDACTED]

9.1.1 [REDACTED]

85. [REDACTED]

[REDACTED]

[REDACTED]

⁹¹ ROSS's Supplemental Responses and Objections to Plaintiffs' First Set of Interrogatories, February 22, 2022, Supplemental Answer to Interrogatory No. 2, pp. 12-13.

⁹² *Id.*, p. 13.

⁹³ TR-0037669-TR-0037676 ([REDACTED])

⁹⁴ *Id.* [REDACTED]

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86.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

87.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁹⁵ K. Al-Kofahi Dep. Tr. 19:2–17

[REDACTED]

⁹⁶ I. Moulinier Dep. Tr. 14:10–22

[REDACTED]

⁹⁷ I. Moulinier Dep. Tr. 14:25–15:5

[REDACTED]

⁹⁸ I. Moulinier Dep. Tr. 108:10–15

[REDACTED]

⁹⁹ I. Moulinier Dep. Tr. 16:5–15

[REDACTED]

HIGHLY CONFIDENTIAL - ATTORNEY EYES ONLY

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹⁰⁰ I. Moulinier Dep. Tr. 143:2–5

[REDACTED]

¹⁰¹ K. Al-Kofahi Dep. Tr. 44:3–46:22

[REDACTED]

I. Moulinier Dep. Tr. 106:11–14; 108:19–24

[REDACTED]

¹⁰² K. Al-Kofahi Dep. Tr. 44:3–45:15

[REDACTED]

¹⁰³ K. Al-Kofahi Dep. Tr. 44:17–46:22

[REDACTED]

see also I. Moulinier Dep. Tr. 104:12–20

[REDACTED]

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88. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹⁰⁴ I. Moulinier Dep. Tr. 61:14–64:5 [REDACTED]

[REDACTED]

¹⁰⁵ I. Moulinier Dep. Tr. 61:4–64:5 [REDACTED]

[REDACTED]

¹⁰⁶ I. Moulinier Dep. Tr. 108:25–109:5 [REDACTED]

[REDACTED]

¹⁰⁷ I. Moulinier Dep. Tr. 143:6–11 [REDACTED]

[REDACTED]

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9.1.2 [REDACTED]

89. [REDACTED]

[REDACTED]

[REDACTED]

90. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

9.1.3 [REDACTED]

91. [REDACTED]

[REDACTED]

¹⁰⁸ A. Arruda Dep. Tr. 57:20–58:6 [REDACTED]
[REDACTED]
[REDACTED]

¹⁰⁹ ROSS’s Supplemental Responses and Objections to Plaintiffs’ First Set of Interrogatories, February 22, 2022, Supplemental Answer to Interrogatory No. 2, p. 12 [REDACTED]
[REDACTED]

¹¹⁰ A. Arruda Dep. Tr. 275:23–276:12 [REDACTED]
[REDACTED]
[REDACTED] (objections omitted).

¹¹¹ J. Ovbiagele Dep. Tr. 204:3–7 [REDACTED]
[REDACTED] *see also* [REDACTED]
ROSS-003390881-ROSS-003390884 ([REDACTED]
T. van der Heijden Dep. Tr. 87:14-89:5 [REDACTED]
[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

92. [REDACTED]

[REDACTED]

[REDACTED]

93. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

94. [REDACTED]

[REDACTED]

[REDACTED]

¹¹² ROSS-003391075 [REDACTED]

[REDACTED]

¹¹³ ROSS-003391076 [REDACTED]

¹¹⁴ ROSS-023032254 [REDACTED]

[REDACTED]

¹¹⁵ ROSS-003390773-ROSS-003390774 ([REDACTED])

[REDACTED]

¹¹⁶ ROSS-003390233 [REDACTED]

¹¹⁷ *Id.*

¹¹⁸ ROSS-003390772 [REDACTED]

[REDACTED]

¹¹⁹ ROSS-003390563-ROSS-003390565 [REDACTED]

[REDACTED]; ROSS's Supplemental Responses and Objections to Plaintiffs'

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95. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

96. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

First Set of Interrogatories, February 22, 2022, Supplemental Answer to Interrogatory No. 2, p. 11.

¹²⁰ T. van der Heijden Dep. Tr. 142:9–143:11 [REDACTED]

¹²¹ ROSS-010164415-ROSS-010164417 [REDACTED]

¹²² ROSS-010164415-ROSS-010164417 [REDACTED]

¹²³ T. van der Heijden Dep. Tr. 148:10–149:10 [REDACTED]

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97.

[REDACTED]

98.

[REDACTED]

[REDACTED] . TR-0001154-TR-0001165
[REDACTED]
[REDACTED] . ROSS-010361787-ROSS-
010361789
[REDACTED]); *see also* T. van der Heijden Dep. Tr. 174:10
[REDACTED]

(objection omitted).

¹²⁴ ROSS-003610162-ROSS-003610165 [REDACTED]

¹²⁵ *Id.*

¹²⁶ ROSS-010164290-ROSS-010164291 [REDACTED]

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[REDACTED]

[REDACTED]

99. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹²⁷ *Id.*

¹²⁸ [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹²⁹ TR-0038909-TR-0038920 [REDACTED]

[REDACTED]

¹³⁰ LEGALEASE-00056843-LEGALEASE-00056844 [REDACTED]

[REDACTED]

¹³¹ T. Hamilton Dep. Tr. 125:4–9 [REDACTED]

¹³² T. Hafeez Dep. Tr., p. 188:4–7 [REDACTED]

[REDACTED]).

¹³³ LEGALEASE-00056843-LEGALEASE-00056844 [REDACTED]

[REDACTED]

¹³⁴ *Id.*

HIGHLY CONFIDENTIAL - ATTORNEY EYES ONLY

[REDACTED]

[REDACTED]

100. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

101. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹³⁵ *Id.*

¹³⁶ T. Hafeez Dep. Tr., 188:25–189:3 [REDACTED]

¹³⁷ J. Ovbiagele Dep. Tr. 236:9–237:2 [REDACTED]

¹³⁸ ROSS-000304769-ROSS-000304784 ([REDACTED])
[REDACTED] at ROSS-000304771-ROSS-000304774.

¹³⁹ *See generally* T. Hafeez Dep. Tr., pp. 78-79; *see also* R-LEGALEASE-00050718-R-LEGALEASE-00050721 [REDACTED]

¹⁴⁰ TR-0039933-TR-0039942 [REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

102. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹⁴¹ R-LEGALEASE-00048772-R-LEGALEASE-00048776 [REDACTED]
[REDACTED]

¹⁴² T. Hafeez Dep. Tr., 88:19–89:20, 94:6–8 ([REDACTED]
[REDACTED], TR-0039933-TR-0039942.

¹⁴³ R-LEGALEASE-00048772-R-LEGALEASE-00048776 [REDACTED]
[REDACTED] C. Cahn Dep. Tr. 72:25–73:7 [REDACTED]
[REDACTED]

¹⁴⁴ ROSS-000304769-ROSS-000304784 [REDACTED]
[REDACTED] at ROSS-000304771-ROSS-000304774.

¹⁴⁵ [REDACTED]
[REDACTED] See ROSS-000175054 – ROSS-000175067 ([REDACTED]
[REDACTED] See
LEGALEASE-00171828-LEGALEASE-00171831 ([REDACTED]
[REDACTED]

[REDACTED] *Id.*

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

9.1.4 [REDACTED]

103. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

104. [REDACTED]

[REDACTED]

105. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

106. [REDACTED]

[REDACTED]

¹⁴⁶ ROSS-000175054-ROSS-000175067 [REDACTED]

¹⁴⁷ *Id.*; see also ROSS-003419784-ROSS-003419786 [REDACTED]

[REDACTED]

HIGHLY CONFIDENTIAL - ATTORNEY EYES ONLY

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

107.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹⁴⁸ See e.g., TR-0048632 ([REDACTED])

¹⁴⁹ [REDACTED]

[REDACTED]

[REDACTED] . See, e.g., LEGALEASE-00093066-LEGALEASE-00093074

[REDACTED] T. Hafeez Dep. Tr. 66:4–17 (“[REDACTED]”)

[REDACTED]

¹⁵⁰ LEGALEASE-00093066-LEGALEASE-00093074 ([REDACTED])

[REDACTED]

¹⁵¹ R-LEGALEASE-00189134-R-LEGALEASE-00189139 ([REDACTED])

[REDACTED]

¹⁵² *Id.*

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹⁵³ *Id.*

¹⁵⁴ *Id.*

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108.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹⁵⁵ LEGALEASE-00093066-LEGALEASE-00093074 [REDACTED]

¹⁵⁶ LEGALEASE-00078065-LEGALEASE-00078083 ([REDACTED])

. See C. Cahn Dep. Tr. 68:3–9

), 194:19–195:5

See T. Hafeez Dep. Tr.

152:7–21

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[REDACTED]

109. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

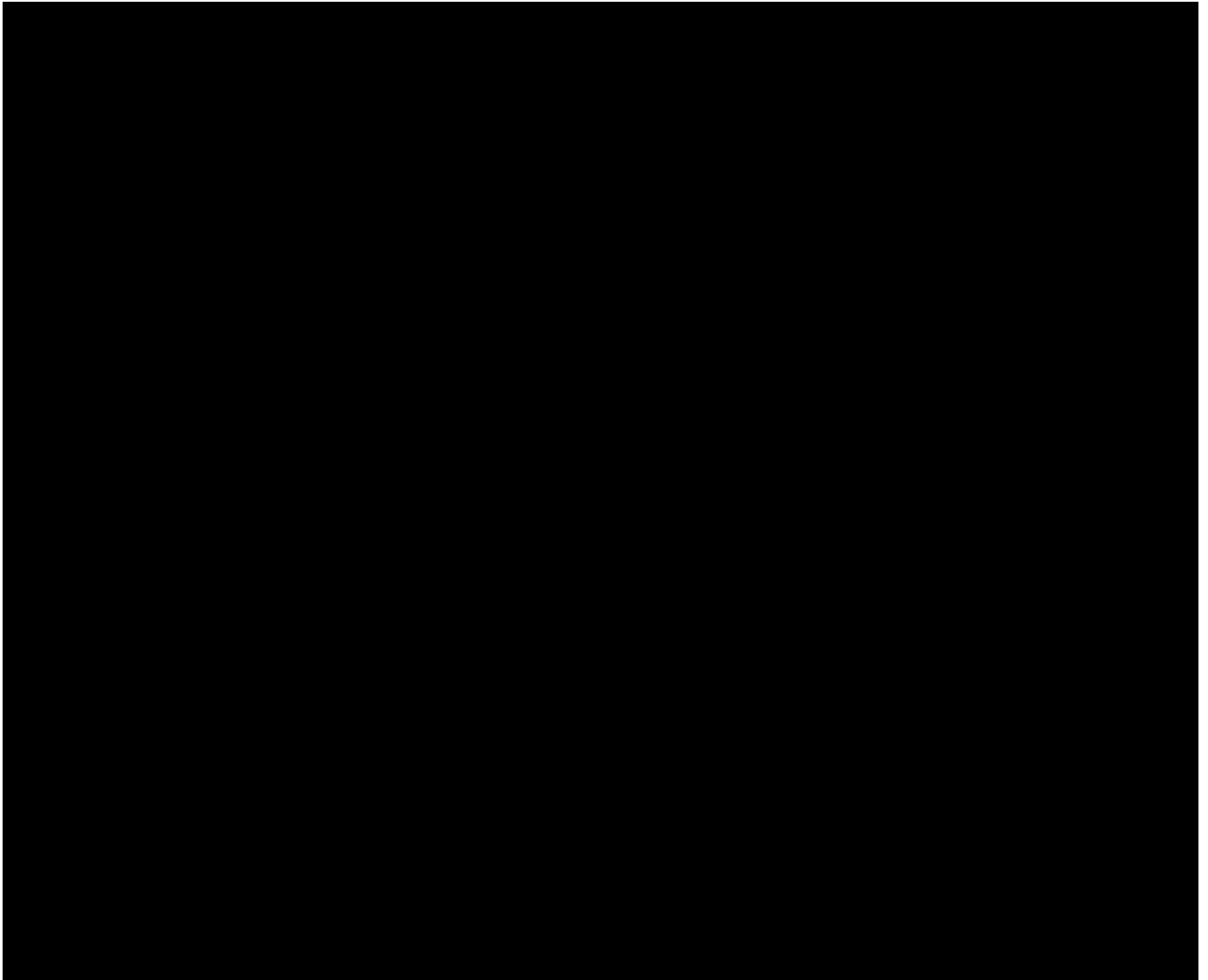
[REDACTED]

[REDACTED]

¹⁵⁷ See, e.g., MORAE_00024103 [REDACTED] MORAE_00002386 ([REDACTED]
[REDACTED] MORAE_00003801 (question/memo tracker),
MORAE_00013863 (question/memo tracker), MORAE_00029239 (question/memo tracker),
MORAE_00045427 (question/memo tracker), MORAE_00092628 (question/memo tracker),
MORAE_00092629 (question/memo tracker), MORAE_00005079 (question/memo tracker),
MORAE_00043660 (question/memo tracker), MORAE_00015344 (question/memo tracker),
MORAE_00014068 (question/memo tracker), MORAE_00030512 (question/memo tracker);
LEGALEASE-00115007 (ROSS Bulk Daily Production).

¹⁵⁸ MORAE_00045427 (question/memo tracker).

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110.

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

111. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹⁵⁹ MORAE_00011129 [REDACTED]

¹⁶⁰ MORAE_00045427 [REDACTED]

HIGHLY CONFIDENTIAL - ATTORNEY EYES ONLY

[REDACTED]

[REDACTED]

112. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹⁶¹ TR-0073545-TR-0073546 ([REDACTED])

[REDACTED]

¹⁶² [REDACTED]

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113.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹⁶³ Compare TR-0179847-TR-0179854 [REDACTED] with, ROSS-010128683 [REDACTED]

¹⁶⁴ [REDACTED]

¹⁶⁵ [REDACTED]

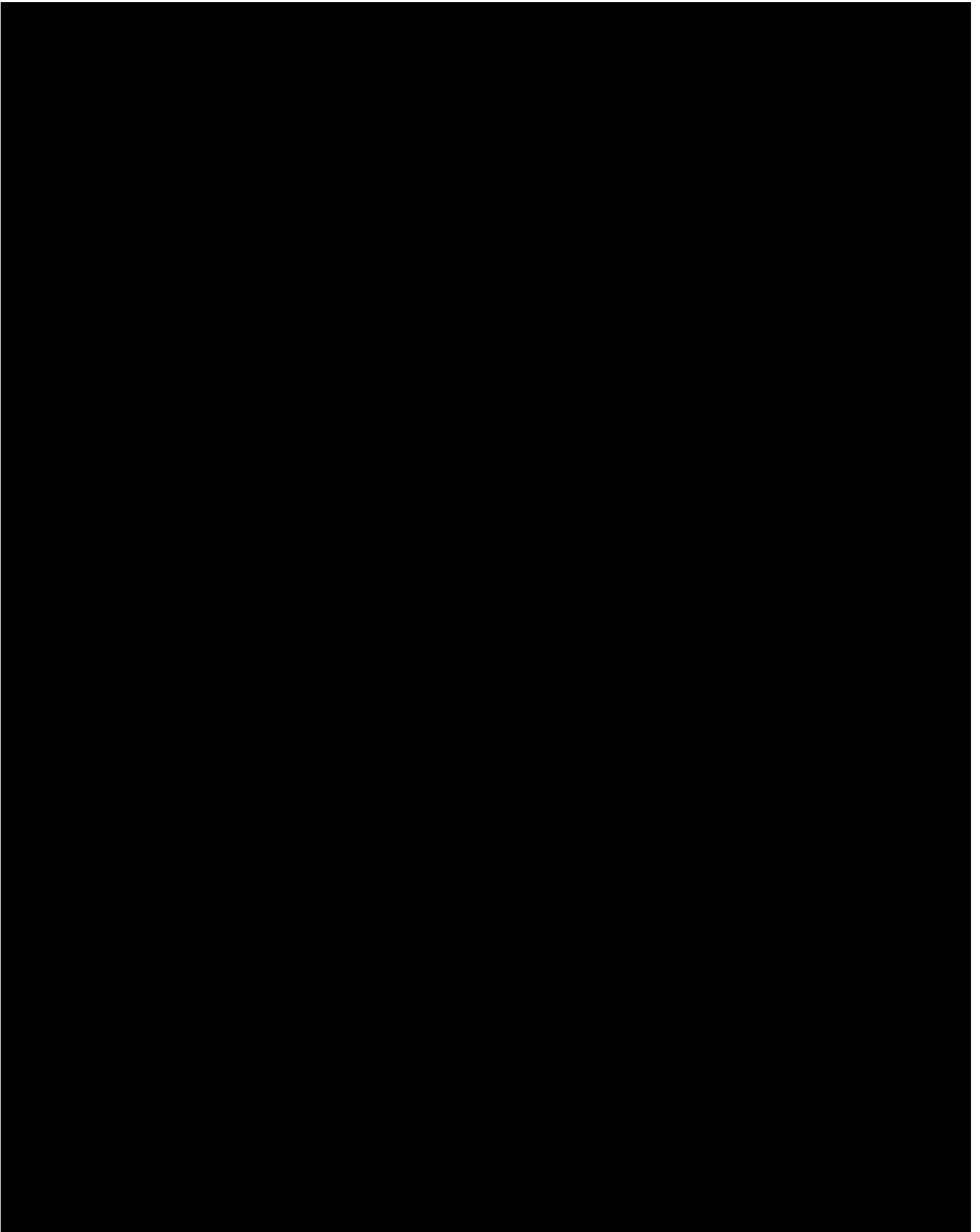
[REDACTED] (see, e.g., ROSS-003280407-ROSS-003280408 [REDACTED])

(see, e.g., ROSS-003284576-ROSS-003284577 [REDACTED])

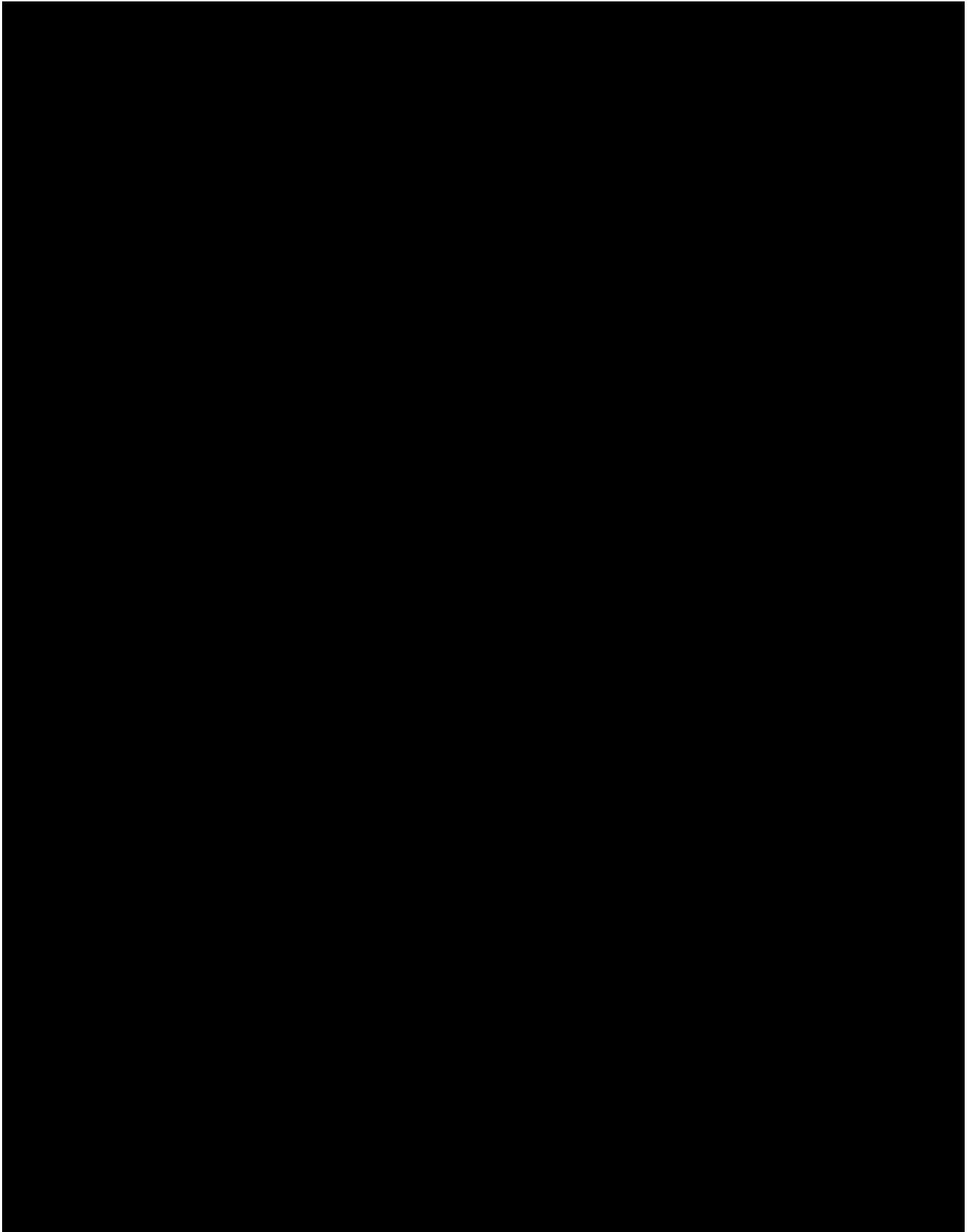
(see, e.g., ROSS-003280067-ROSS-003280068 [REDACTED])

(see, e.g., ROSS-003280375-ROSS-003280376 [REDACTED])

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HIGHLY CONFIDENTIAL - ATTORNEY EYES ONLY



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114.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

9.1.5

[REDACTED]

115.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

116.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹⁶⁶ T. Hafeez Dep. Tr., pp. 39:19–25

[REDACTED]

¹⁶⁷ R-LEGALEASE-00140998

[REDACTED]

¹⁶⁸ *Id*; see also R-LEGALEASE-00101636-R-LEGALEASE-00101642 (

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

117. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

118. [REDACTED]

[REDACTED]

[REDACTED]

¹⁶⁹ TR-0836004 ([REDACTED])

¹⁷⁰ *Id.*

¹⁷¹ *Id.*

¹⁷² *See, e.g.*, TR-0002827-TR-0002830 [REDACTED]

¹⁷³ *Id.*

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[REDACTED]

119. [REDACTED]

[REDACTED]

¹⁷⁴ *Id.*

¹⁷⁵ *Id.*

¹⁷⁶ TR-0035897-TR-0035908 ([REDACTED])

see also T. Hafeez Dep. Tr. 98:24-99:17

¹⁷⁷ T. Hafeez Dep. Tr. 41:22-42:7, 114:17-115:7.

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120.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

9.1.6

[REDACTED]

121.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹⁷⁸ J. Ovbiagele Dep. Tr. 67:6–9

[REDACTED] 67:12–14.

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122. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

123. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

124. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

125. [REDACTED]

[REDACTED]

¹⁷⁹ See Section 9.1.3, *supra*.

¹⁸⁰ *Id.*

¹⁸¹ ROSS-000204366-ROSS-000204367 ([REDACTED])

¹⁸² LEGALEASE-00171828-LEGALEASE-00171831 ([REDACTED])

HIGHLY CONFIDENTIAL - ATTORNEY EYES ONLY

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

126.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹⁸³ See generally T. van der Heijden Dep. Tr., pp. 293-296.

¹⁸⁴ J. Obviagele Dep. Tr. 73:21-77:5

¹⁸⁵ ROSS-000204366-ROSS-000204367

¹⁸⁶ ROSS-000177723 ([REDACTED]
[REDACTED]; see also T. van der Heijden Dep. Tr. 347:20-22

HIGHLY CONFIDENTIAL - ATTORNEY EYES ONLY

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

127.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹⁸⁷ ROSS-003297293-ROSS-003297295 [REDACTED]; *see also* ROSS-000136374-ROSS-000136379; *see also* T. van der Heijden Dep. Tr. 335:15–19 [REDACTED]

[REDACTED] (objection omitted).

¹⁸⁸ ROSS-009637509 [REDACTED]

¹⁸⁹ *Id.*

¹⁹⁰ ROSS-009637399-ROSS-009637400 [REDACTED]

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[REDACTED]

[REDACTED]

128. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

9.1.7 [REDACTED]

129. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

130. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹⁹¹ *Id.*

¹⁹² *See, e.g.*, ROSS-000054844 [REDACTED]
[REDACTED]; ROSS-000155730 (same).

¹⁹³ 590 Madison Ave #20th, New York, NY 10022.

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[REDACTED]

[REDACTED]

131. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

132. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

194 [REDACTED]

[REDACTED]

¹⁹⁵ <http://mongodb.github.io/node-mongodb-native/schema/chapter3/>.

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133. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

134. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹⁹⁶ *See, e.g.,* [REDACTED].

¹⁹⁷ [REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

135. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

HIGHLY CONFIDENTIAL - ATTORNEY EYES ONLY

136. [REDACTED]

[REDACTED]

[REDACTED]

137. [REDACTED]

[REDACTED]

[REDACTED]

138. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

199 [REDACTED]

[REDACTED]

[REDACTED]

HIGHLY CONFIDENTIAL - ATTORNEY EYES ONLY

139. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

140. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

141. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

142. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

²⁰¹ See, e.g., Brownlee, J. (2022). *Machine Learning Mastery*. <https://machinelearningmastery.com/>.

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143.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

144.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

212

[REDACTED]

[REDACTED]

213 ROSS-003419784-ROSS-003419786

[REDACTED]

[REDACTED]

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145. [REDACTED]

[REDACTED]

[REDACTED]

146. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

147. [REDACTED]

[REDACTED]

[REDACTED]

²¹⁴ ROSS's Supplemental Responses and Objections to Plaintiffs' First Set of Interrogatories, February 22, 2022, Supplemental Answer to Interrogatory No. 2, p. 12.

²¹⁵ ROSS-003658597-ROSS-003658604 [REDACTED]
[REDACTED]

²¹⁶ *Id.*

²¹⁷ ROSS-003419784-ROSS-003419786 [REDACTED]
[REDACTED]

²¹⁸ *See* Section 7.3, *supra*.

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[REDACTED]

[REDACTED]

148. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

149. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

²¹⁹ ROSS-009558441-ROSS-009558443; ROSS-003487472-ROSS-003487474; ROSS-009545896-ROSS-009545899.

²²⁰ ROSS-003487472-ROSS-003487474 ([REDACTED])

[REDACTED] n.”; ROSS-009558441-ROSS-009558443

[REDACTED]; ROSS-009545896-ROSS-009545899

ROSS-003704423-ROSS-003704439

[REDACTED]

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[REDACTED]

9.1.8 The Market for Training Data

150. [REDACTED]

[REDACTED]

151. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

152. [REDACTED]

[REDACTED]

[REDACTED]

²²¹ <https://ai.googleblog.com/2016/09/introducing-open-images-dataset.html>

HIGHLY CONFIDENTIAL - ATTORNEY EYES ONLY

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

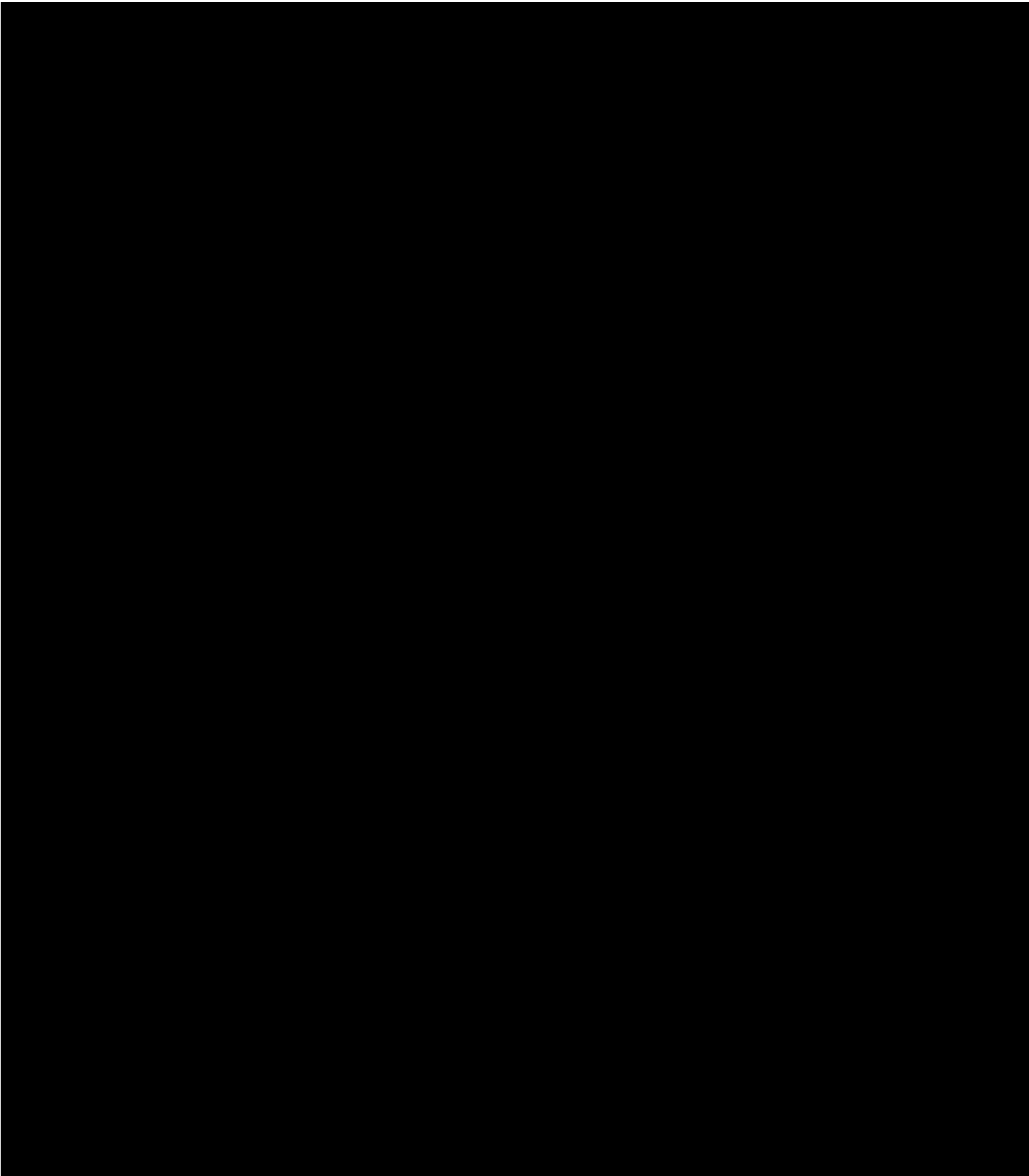
153. [REDACTED]

[REDACTED]

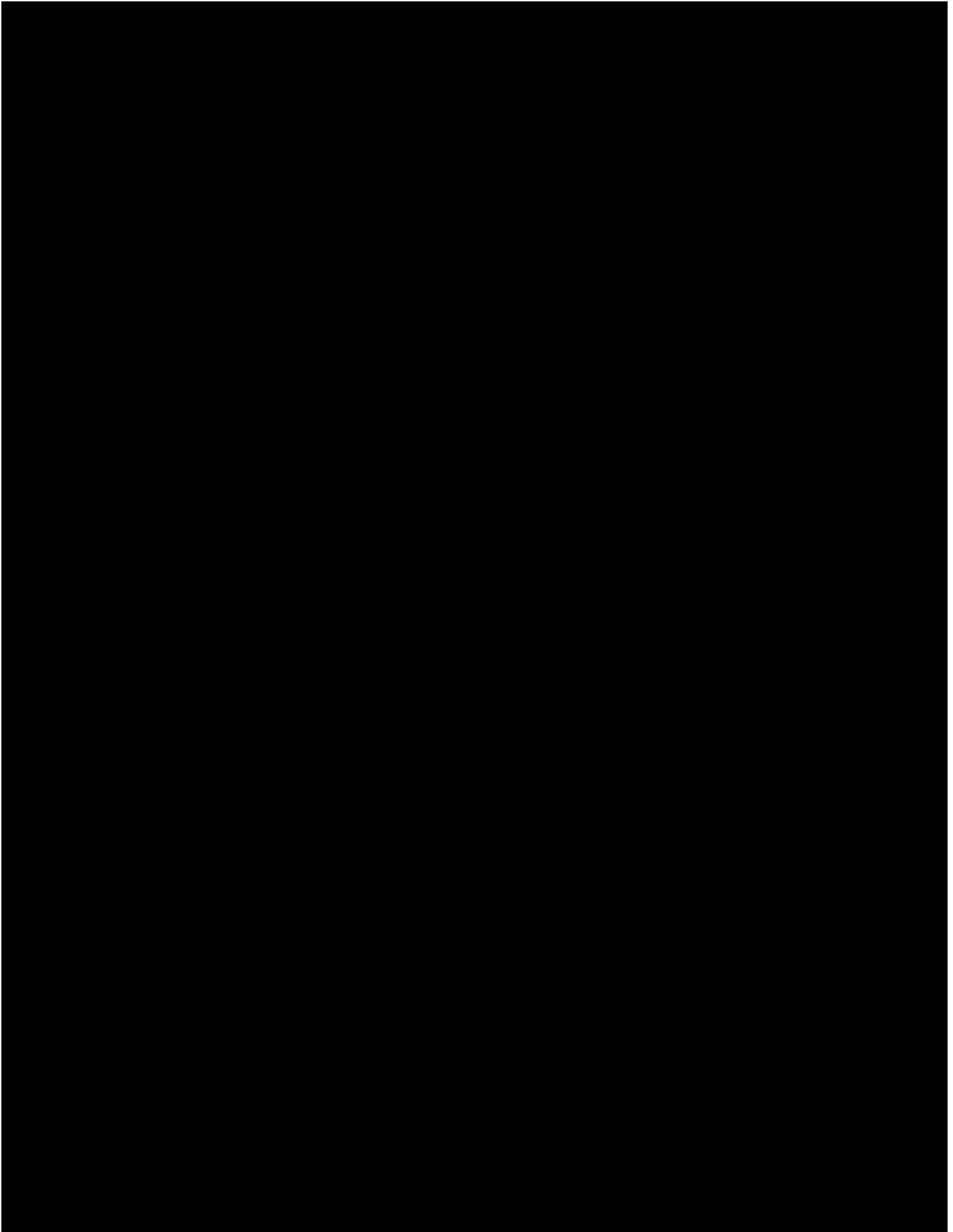
[REDACTED]

²²² <http://press.gettyimages.com/getty-images-launches-industry-first-model-release-supporting-data-privacy-in-artificial-intelligence-and-machine-learning/>

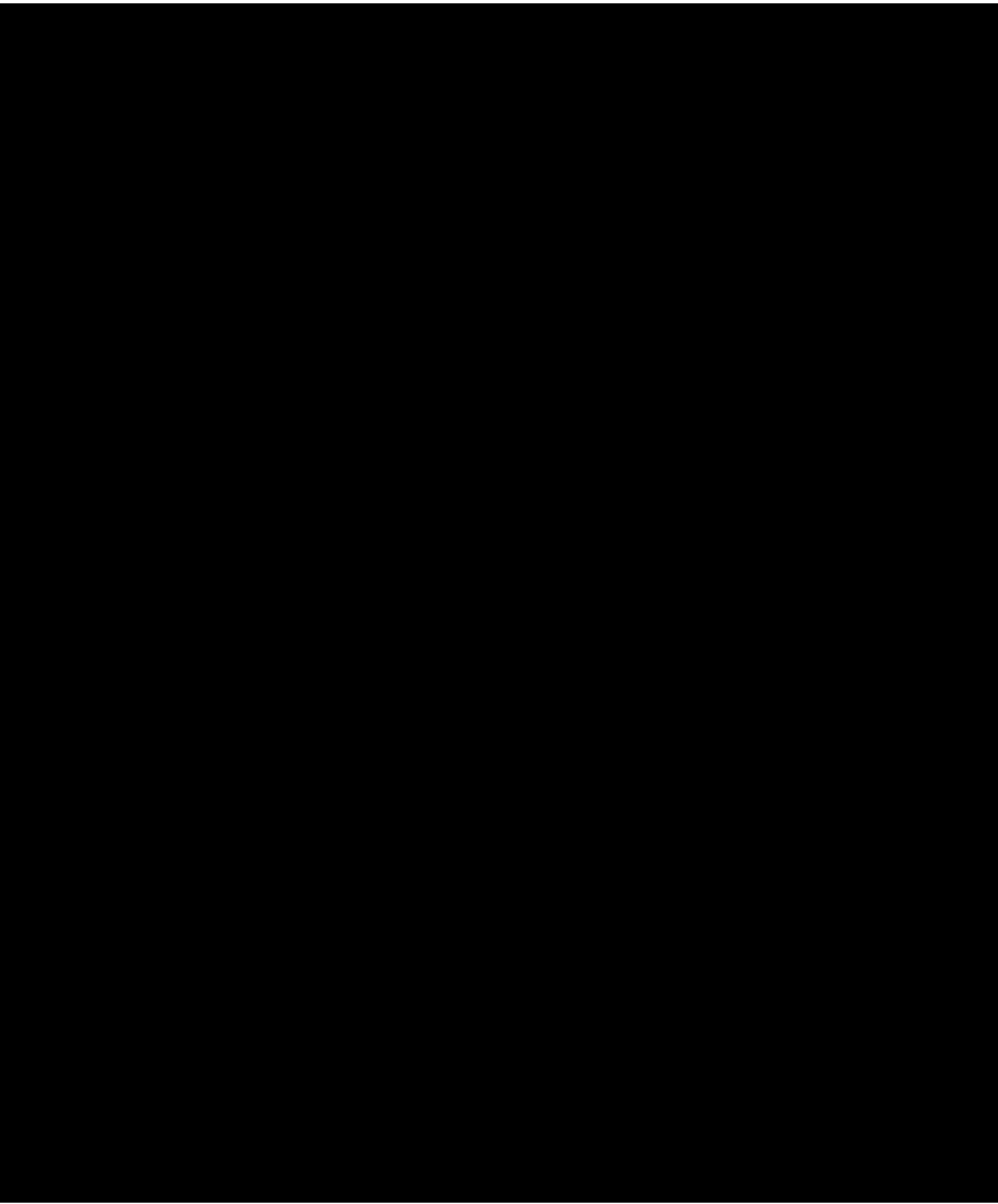
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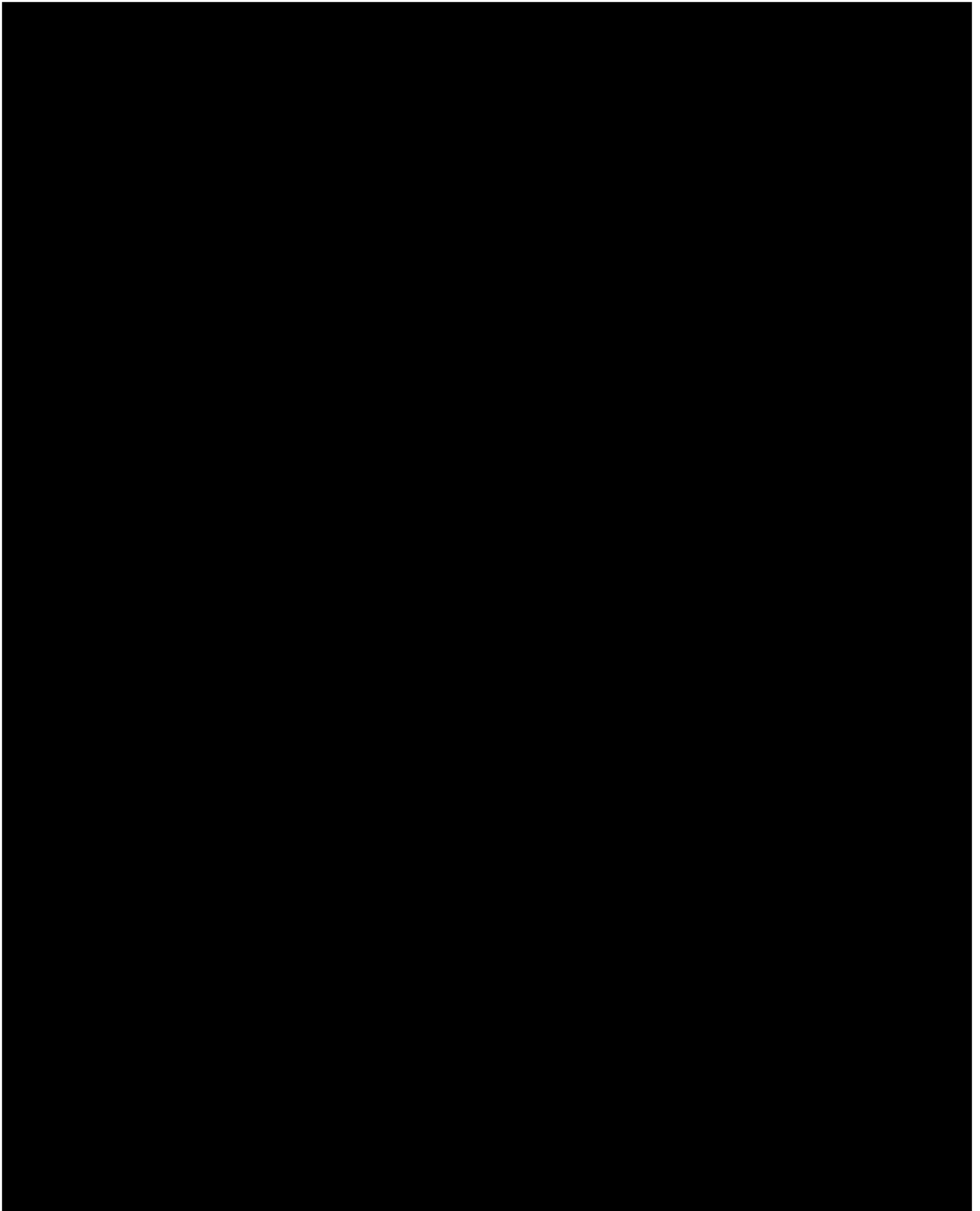
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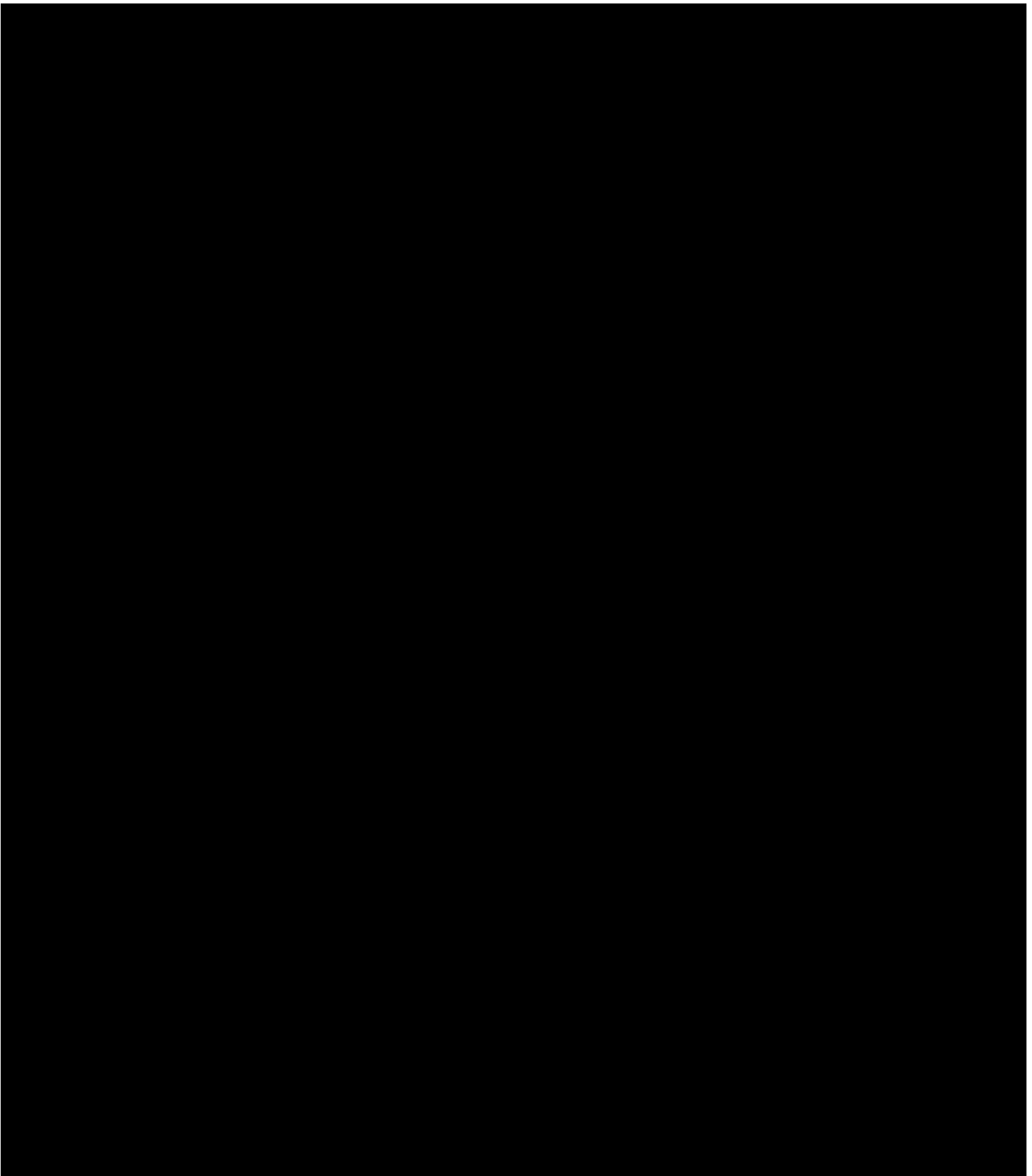
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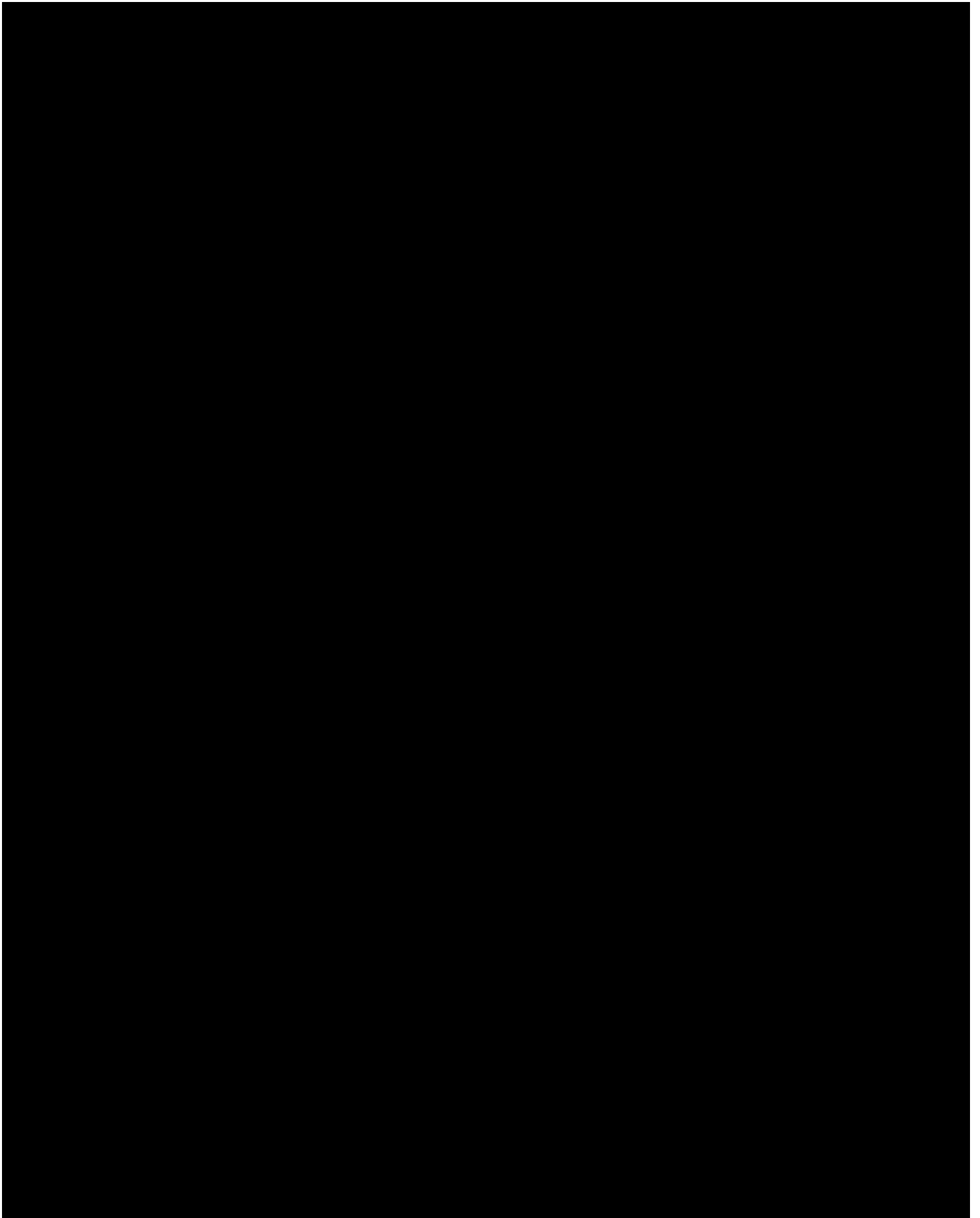
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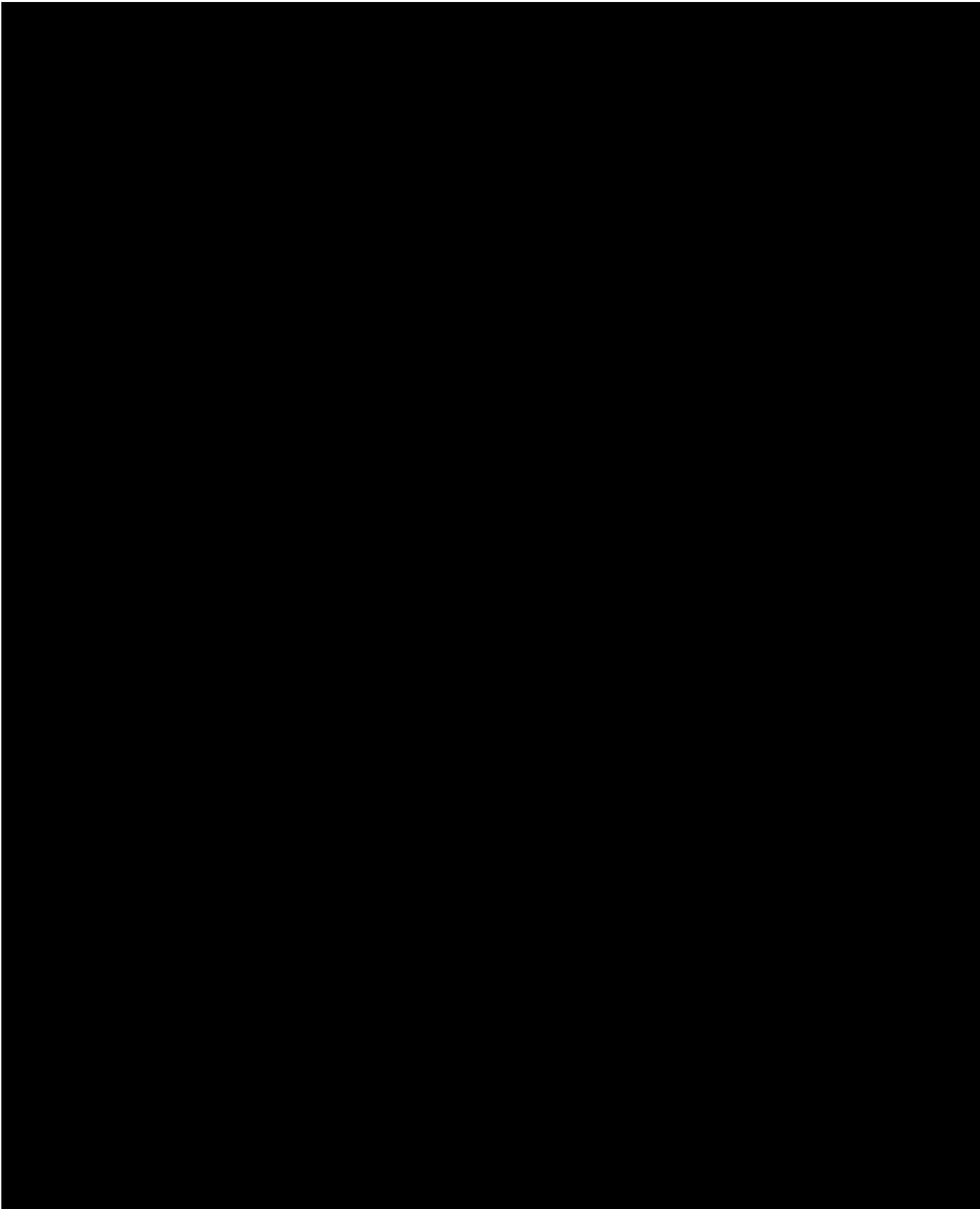
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HIGHLY CONFIDENTIAL - ATTORNEY EYES ONLY

[REDACTED]

154. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

155. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

²²³ J. Obviagele Dep. Tr. 171:7–11

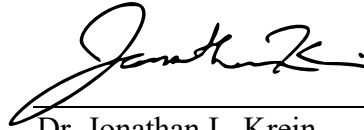
[REDACTED]

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 1, 2022

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jonathan L. Krein", is written over a horizontal line.

Dr. Jonathan L. Krein

EXHIBIT 23

APPENDIX C

EXHIBIT 24



OCEAN TOMO[®]

A PART OF  **JS|HELD**

THOMSON REUTERS ENTERPRISE CENTRE GMBH AND WEST PUBLISHING CORPORATION

v.

ROSS INTELLIGENCE INC.

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

Civil Action No. 1:20-cv-00613-SB

EXPERT REPORT OF JAMES E. MALACKOWSKI

August 1, 2022

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Administration	Percentage of respondents
Current administration	100%
Previous administration	0%

[REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]

Page 1



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

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2 [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

¹ Stipulated Protective Order, May 13, 2021.

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3 [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

3.1 [REDACTED]

[REDACTED]
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[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

3.1.1 [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
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[REDACTED]
[REDACTED]
[REDACTED]
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[REDACTED]
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[REDACTED]
[REDACTED]

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[REDACTED]

[REDACTED]

3.1.2 [REDACTED]

[REDACTED]

3.1.3 [REDACTED]

[REDACTED]

² Schedule 1.0.

³ Schedule 1.1.

⁴ *Great Am. Opportunities, Inc. v. Cherrydale Fundraising, LLC*, No. 3718-VCP, 2010 WL 338219, at * 27 (Del. Ch. Jan. 29, 2010).

⁵ Schedule 6.0.

⁶ Schedule 4.0.

⁷ Schedule 4.0.

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3.2

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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4

- [illegible]

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[REDACTED]

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5 [REDACTED]

5.1 [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

5.1.1 [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

5.1.2 [REDACTED]

[REDACTED]
[REDACTED]

⁸ Thomson Reuters Corporation 2021 Annual Report, pp. 102, 116.

⁹ Business, Thomson Reuters Corporation 2021 Annual Report, p. 2.

¹⁰ 2022 Strategic Growth Priorities, Thomson Reuters Corporation 2021 Annual Report, p. 6.

¹¹ Principal Subsidiaries, Thomson Reuters Corporation 2021 Annual Report, p. 189.

¹² Complaint, May 6, 2020, p. 3.

¹³ Andrew Martens, 30(b)(6) Deposition March 25, 2022, pp. 145-147; [REDACTED] TR-0359503-TR-0359560 at TR-0359503-TR-0359504 and TR-0359509-TR-0359542.

¹⁴ Andrew Martens, 30(b)(6) Deposition March 25, 2022, pp. 151-152; [REDACTED] TR-0359401-TR-0359443 at TR-0359401-TR-0359403 and TR-0359410-TR-0359441.

¹⁵ Andrew Martens, 30(b)(6) Deposition March 25, 2022, pp. 157-159; [REDACTED] TR-0359959-TR-0360216 at TR-0359962-TR-0359968; [REDACTED] TR-0359564-TR-0359954.

¹⁶ Principal Subsidiaries, Thomson Reuters Corporation 2021 Annual Report, p. 189.

¹⁷ Complaint, May 6, 2020, p. 3.

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

5.2

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

5.3

5.3.1

[REDACTED]

[REDACTED]

¹⁸ [REDACTED] TR-0002758-TR-0002768.

¹⁹ Tomas van der Heijden, 30(b)(6) Deposition March 17, 2022, pp. 210-211, 215-216.

²⁰ Andrew Martens, 30(b)(6) Deposition March 25, 2022, p. 156; [REDACTED] TR-0359181-TR-0359186; [REDACTED]

[REDACTED] TR-0359202-TR-0359204.

²¹ Andrew Martens, 30(b)(6) Deposition March 25, 2022, pp. 153-155, 201-203; [REDACTED] TR-0358927-TR-0358948 at TR-0358928-TR-0358930 and TR-0358943-TR-0358947; [REDACTED]

[REDACTED] TR-0358967-TR-0358988 at TR-0358967, TR-0358969-TR-0358970, TR-0358986-TR-0358987.

²² Andrew Arruda, Deposition March 30, 2022, pp. 11-12, 37-38.

²³ Andrew Arruda, Deposition March 30, 2022, p. 51.

²⁴ [REDACTED] ROSS-009721062.

²⁵ [REDACTED] TR-0037677-TR-0037680 at TR-0037677.

²⁶ [REDACTED] TR-0039933-TR-0039942 at TR-0039933.

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[REDACTED]

5.3.2 [REDACTED]

[REDACTED]

²⁷ Tariq Hafeez, 30(b)(6) Deposition May 26, 2022, p. 21.

²⁸ Andrew Arruda, Deposition March 30, 2022, p. 269.

²⁹ [REDACTED] TR-0002758-TR-0002768 at TR-0002758-TR-0002760.

³⁰ Low-Cost Legal Databases, Georgetown Law Library, <https://guides.ll.georgetown.edu/freelowcost/low-cost>.

³¹ Welcome to Fastcase, Fastcase, <https://www.fastcase.com/>.

³² Longtime Competitors Fastcase and Casemaker Merge, Reshaping the Legal Research Landscape, Bob Ambrogi, LawSites, January 5, 2021, <https://www.lawnext.com/2021/01/longtime-competitors-fastcase-and-casemaker-merge-reshaping-the-legal-research-landscape.html>.

³³ Low-Cost Legal Databases, Georgetown Law Library, <https://guides.ll.georgetown.edu/freelowcost/low-cost>.

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6 [REDACTED]

[REDACTED]
[REDACTED]

6.1 [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
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[REDACTED]
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[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

³⁴ [REDACTED] TR-0179867.

³⁵ [REDACTED] ROSS-003386670-ROSS-003386683 at ROSS-003386677-ROSS-003386678.

³⁶ [REDACTED] ROSS-003386670-ROSS-003386683 at ROSS-003386678.

³⁷ Edward Walters, 30(b)(6) Deposition March 1, 2022, p. 84.

³⁸ Casetext develops technology for attorneys who take pride in doing their best work efficiently, Casetext, <https://casetext.com/about/>.

³⁹ Low-Cost Legal Databases, Georgetown Law Library, <https://guides.ll.georgetown.edu/freelowcost/low-cost>.

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[REDACTED]

6.1.1 [REDACTED]

[REDACTED]
[REDACTED].

6.1.1.1 [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] [REDACTED]
[REDACTED]

⁴⁰ [REDACTED] ROSS-003386670-ROSS-003386683 at ROSS-003386678.

⁴¹ Thomson Reuters Corporation 2021 Annual Report, p. 6.

⁴² Thomson Reuters Corporation 2021 Annual Report, p. 8.

⁴³ Thomson Reuters Corporation 2021 Annual Report, p. 6.

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[REDACTED]

6.1.1.2 [REDACTED]

[REDACTED]

46

[REDACTED]

6.1.1.3 [REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
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- [REDACTED]

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[REDACTED]
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- [illegible]

Page 16

[illegible]

[REDACTED]

- [illegible]

Page 17



6.1.2.1 [REDACTED]

[REDACTED]

[REDACTED]

6.1.2.2 [REDACTED]

[REDACTED]

⁶⁸ I understand that the document entitled, [REDACTED]

[REDACTED] TR-0002844-TR-0002845 [REDACTED]

⁶⁹ [REDACTED]
TR-0002844-TR-0002845 at TR-0002844.

⁷⁰ [REDACTED]
TR-0002844-TR-0002845 at TR-0002844.

⁷¹ [REDACTED]
TR-0002844-TR-0002845 at TR-0002844.

⁷² [REDACTED]
[REDACTED] TR-0002812-TR-0002814 at TR-0002812.

⁷³ Terms and Conditions of use for the LexisNexis Services, Terms and Conditions for use of the Online Services, October 21, 2021, <https://www.lexisnexis.com/en-us/terms/general/default.page>.

⁷⁴ Terms and Conditions of use for the LexisNexis Services, Terms and Conditions for use of the Online Services, October 21, 2021, <https://www.lexisnexis.com/en-us/terms/general/default.page>.

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[REDACTED]

[REDACTED]

6.1.2.3 [REDACTED]

[REDACTED]

[REDACTED]

⁷⁵ Terms and Conditions of use for the LexisNexis Services, Terms and Conditions for use of the Online Services, October 21, 2021, <https://www.lexisnexis.com/en-us/terms/general/default.page>.

⁷⁶ Terms and Conditions of use for the LexisNexis Services, Terms and Conditions for use of the Online Services, October 21, 2021, <https://www.lexisnexis.com/en-us/terms/general/default.page>.

⁷⁷ Bloomberg Industry Group Terms of Service: Subscription Products, Updated November 2019, <https://www.bloombergindustry.com/terms-of-service-subscription-products/>.

⁷⁸ Bloomberg Industry Group Terms of Service: Subscription Products, Updated November 2019, <https://www.bloombergindustry.com/terms-of-service-subscription-products/>.

⁷⁹ Bloomberg Industry Group Terms of Service: Subscription Products, Updated November 2019, <https://www.bloombergindustry.com/terms-of-service-subscription-products/>.

⁸⁰ Bloomberg Industry Group Terms of Service: Subscription Products, Updated November 2019, <https://www.bloombergindustry.com/terms-of-service-subscription-products/>.

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[REDACTED]

[REDACTED]

6.1.2.4 [REDACTED]

[REDACTED]

6.1.2.5 [REDACTED]

[REDACTED]

⁸¹ Bloomberg Industry Group Terms of Service: Subscription Products, Updated November 2019, <https://www.bloombergindustry.com/terms-of-service-subscription-products/>.

⁸² Bloomberg Industry Group Terms of Service: Subscription Products, Updated November 2019, <https://www.bloombergindustry.com/terms-of-service-subscription-products/>.

⁸³ Fastcase Terms of Service, <https://www.fastcase.com/terms/>.

⁸⁴ Fastcase Terms of Service, <https://www.fastcase.com/terms/>.

⁸⁵ Casetext Terms of Service, Updated July 6, 2022, <https://casetext.com/terms/>.

⁸⁶ Casetext Terms of Service, Updated July 6, 2022, <https://casetext.com/terms/>.

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[REDACTED]

6.1.2.6 [REDACTED]

[REDACTED]

6.1.3 [REDACTED]

[REDACTED]

⁸⁷ Casetext Terms of Service, Updated July 6, 2022, <https://casetext.com/terms/>.

⁸⁸ [REDACTED] TR-0001142-TR-0001153 at TR-0001146.

⁸⁹ [REDACTED] TR-0001142-TR-0001153 at TR-0001146.

⁹⁰ [REDACTED] TR-0001142-TR-0001153 at TR-0001146.

⁹¹ [REDACTED] TR-0001142-TR-0001153 at TR-0001146; [REDACTED]

[REDACTED] TR-0001154-TR-0001165 at TR-0001158.

⁹² [REDACTED]

[REDACTED] FASTCASE_090487-FASTCASE_090490 at FASTCASE_090488; [REDACTED]

[REDACTED] FASTCASE_090429.

⁹³ [REDACTED]
CASEMAKER_029770-CASEMAKER_029776 at CASEMAKER_029770 and CASEMAKER_029772.

⁹⁴ Plaintiffs and Counterdefendants Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation's Second Supplemental Responses and Objections to Defendant and Counterclaimant ROSS Intelligence Inc.'s Interrogatory No. 21, June 9, 2022, Response to Interrogatory No. 20 and Second Supplemental Response to Interrogatory No. 21, pp. 15-16, 24; [REDACTED]

[REDACTED] TR-0894151-TR0894157 at TR-0894151; Mark Hoffman, Deposition March 16, 2022, pp. 19-20; [REDACTED]

[REDACTED] TR-0836004; [REDACTED].

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[REDACTED]

6.1.3.1 [REDACTED]

[REDACTED]

[REDACTED]

⁹⁵ Editorial Enhancements, <https://legal.thomsonreuters.com/en/products/westlaw/editorial-enhancements>.

⁹⁶ Mark Hoffman, Deposition March 16, 2022, pp. 49-50; Legal Products, <https://legal.thomsonreuters.com/en/products?>

⁹⁷ [REDACTED]
[REDACTED] ROSS-009547818-ROSS-009547823 at ROSS-009547818.

⁹⁸ Interview of Mark Hoffman.

⁹⁹ Interview of Mark Hoffman.

¹⁰⁰ Interview of Mark Hoffman.

¹⁰¹ Plaintiffs and Counterdefendants Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation's Second Supplemental Responses and Objections to Defendant and Counterclaimant ROSS Intelligence Inc.'s Interrogatory No. 21, June 9, 2022, Response to Interrogatory No. 20 and Second Supplemental Response to Interrogatory No. 21, pp. 15-16, 24; [REDACTED]

[REDACTED] TR-0894151-TR0894157 at TR-0894151; Mark Hoffman, Deposition March 16, 2022, pp. 19-20, 27; [REDACTED]

[REDACTED] TR-0836004, [REDACTED]; Schedule 5.0.

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[REDACTED]

[REDACTED]

6.1.3.2 [REDACTED]

[REDACTED]

¹⁰² Plaintiffs and Counterdefendants Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation's Second Supplemental Responses and Objections to Defendant and Counterclaimant ROSS Intelligence Inc.'s Interrogatory No. 21, June 9, 2022, Second Supplemental Response to Interrogatory No. 21, p. 24; [REDACTED] TR-0002846-TR-0002847 at TR-0002846; [REDACTED] TR-0836004, [REDACTED]; Schedule 5.0.

¹⁰³ Interview of Mark Hoffman. [REDACTED] TR-0894151-TR0894157 at TR-0894151; [REDACTED] TR-0002846-TR-0002847 at TR-0002846.

¹⁰⁴ Interview of Mark Hoffman.

¹⁰⁵ [REDACTED] TR-0836004, [REDACTED].

¹⁰⁶ [REDACTED] TR-0836004, [REDACTED].

¹⁰⁷ Law Firm Per Search Pricing, LexisNexis, September 1, 2019, <https://www.lexisnexis.com/en-us/terms/21/pricing.page>.

¹⁰⁸ Plaintiffs and Counterdefendants Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation's Second Supplemental Responses and Objections to Defendant and Counterclaimant ROSS Intelligence Inc.'s Interrogatory No. 21, June 9, 2022, Second Supplemental Response to Interrogatory No. 21, p. 24; [REDACTED] TR-0002846-TR-0002847 at TR-0002846; [REDACTED] TR-0836004, [REDACTED]; Schedule 5.0.

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[REDACTED]

6.1.3.3 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹⁰⁹ Law Firm Per Search Pricing, LexisNexis, September 1, 2019, <https://www.lexisnexis.com/en-us/terms/21/pricing.page>.

¹¹⁰ Edward Walters, 30(b)(6) Deposition March 1, 2022, p. 25.

¹¹¹ [REDACTED] FASTCASE_090487-FASTCASE_090490 at FASTCASE_090488; [REDACTED] FASTCASE_090429.

¹¹² [REDACTED] FASTCASE_090487-FASTCASE_090490 at FASTCASE_090487.

¹¹³ [REDACTED] FASTCASE_090065-FASTCASE_090068 at FASTCASE_090065.

¹¹⁴ Edward Walters, 30(b)(6) Deposition March 1, 2022, p. 30.

¹¹⁵ [REDACTED] FASTCASE_085445-FASTCASE_085448 at FASTCASE_085447.

¹¹⁶ [REDACTED] FASTCASE_085445-FASTCASE_085448 at FASTCASE_085447.

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[REDACTED]

6.2

[REDACTED]

¹¹⁷ New Leadership at Legal Research Company Casemaker, Bob Ambrogi, June 5, 2018, LawSites, <https://www.lawnext.com/2018/06/new-leadership-legal-research-company-casemaker.html>.

¹¹⁸ [REDACTED] CASEMAKER_029770-CASEMAKER_029776 at CASEMAKER_029770 and CASEMAKER_029772.

¹¹⁹ [REDACTED] CASEMAKER_029770-CASEMAKER_029776 at CASEMAKER_029771.

¹²⁰ Khalid Al-Kofahi, Deposition April 8, 2022, p. 19.

¹²¹ [REDACTED] TR-0037669-TR-0037676.

¹²² Legal Analytics and Artificial Intelligence for Research & Law Practice: Tools, Features & Functionality,” p. 2, www.duq.edu/assets/Documents/law/legal-research/_pdf/Baginski,%20Lexis.pdf

¹²³ About Bloomberg Law, Bloomberg Law, <https://pro.bloomberglaw.com/about-bloomberg-law/>.

¹²⁴ Fastcase AI Sandbox, Fastcase, <https://www.fastcase.com/sandbox/>.

¹²⁵ Casemaker Offers Its Members Access to Vincent, AI Tool from vLex, LawSites, March 12, 2019, <https://www.lawnext.com/2019/03/casemaker-offers-its-members-access-to-vincent-ai-tool-from-vlex.html>.

¹²⁶ Casetext develops technology for attorneys who take pride in doing their best work efficiently, Casetext, <https://casetext.com/about/>.

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INTELLECTUAL CAPITAL EQUITY

6.3

[REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]

[REDACTED]

[REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]

[illegible]

127 [REDACTED] TR-0037669-TR-0037676.

128 [REDACTED] TR-0037669-TR-0037676 at TR-0037669.

¹²⁹ Khalid Al-Kofahi, Deposition April 8, 2022, p. 19.

¹³⁰ Khalid Al-Kofahi, Deposition April 8, 2022, p. 20.

¹³¹ Khalid Al-Kofahi, Deposition April 8, 2022, pp. 16-17.

¹³² Khalid Al-Kofahi, Deposition April 8, 2022, p. 17.

133 [REDACTED] TR-0037669-TR-0037676 at TR-0037672.

134 [REDACTED] TR-0037669-TR-0037676 at TR-0037672.

¹³⁵ Khalid Al-Kofahi, Deposition April 8, 2022, p. 20.

¹³⁶ Khalid Al-Kofahi, Deposition April 8, 2022, pp. 20-21.

¹³⁷ Khalid Al-Kofahi, Deposition April 8, 2022, p. 24.

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹³⁸ Khalid Al-Kofahi, Deposition April 8, 2022, p. 22.

¹³⁹ Isabelle Moulinier, 30(b)(6) Deposition July 1, 2022, pp. 12-13.

¹⁴⁰ Isabelle Moulinier, 30(b)(6) Deposition July 1, 2022, pp. 13-14.

¹⁴¹ Major Thomson Reuters Launch: Westlaw Edge, West Search Plus, Analytics, Enhances Citator and More, Jean O'Grady, July 12, 2018, Dewey B Strategic, <https://www.deweybstrategic.com/2018/07/6838.html>.

¹⁴² [REDACTED] TR-0037669-TR-0037676 at TR-0037674.

¹⁴³ Khalid Al-Kofahi, Deposition April 8, 2022, p. 60.

¹⁴⁴ Isabelle Moulinier, 30(b)(6) Deposition July 1, 2022, p. 143; Opening Expert Report of Dr. Jonathan L. Krein, August 1, 2022, pp. 36-37.

¹⁴⁵ Isabelle Moulinier, 30(b)(6) Deposition July 1, 2022, pp. 77-78.

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INTELLECTUAL CAPITAL EQUITY

6.4

[illegible]

¹⁴⁶ Andrew Arruda, Deposition March 30, 2022, p. 45.

¹⁴⁷ Jimoh Ovbiagele, 30(b)(6) Deposition April 12, 2022, pp. 36-37.

¹⁴⁸ Andrew Arruda, Deposition March 30, 2022, pp. 11-12.

¹⁴⁹ Andrew Arruda, Deposition March 30, 2022, p. 59.

¹⁵⁰ Andrew Arruda, Deposition March 30, 2022, pp. 58-60.

¹⁵¹ Andrew Arruda, Deposition March 30, 2022, pp. 58-60.

¹⁵² Andrew Arruda, Deposition March 30, 2022, p. 28.

¹⁵³ Andrew Arruda, Deposition March 30, 2022, p. 63.

¹⁵⁴ Defendant and Counterclaimant ROSS Intelligence Inc.'s Supplemental Responses and Objections to Plaintiffs' Set of Interrogatories (Supplemental Response to Interrogatory No. 11 Only), February 22, 2022, Supplemental Answer to Interrogatory No. 2, p. 10.

¹⁵⁵ Defendant and Counterclaimant ROSS Intelligence Inc.'s Supplemental Responses and Objections to Plaintiffs' Set of Interrogatories (Supplemental Response to Interrogatory No. 11 Only), February 22, 2022, Supplemental Answer to Interrogatory No. 2, p. 10.

¹⁵⁶ Andrew Arruda, Deposition March 30, 2022, pp. 66, 69.

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INTELLECTUAL CAPITAL EQUITY

[REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]

[REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]

[illegible]

¹⁵⁷ Andrew Arruda, Deposition March 30, 2022, pp. 68-69.

¹⁵⁸ Jimoh Ovbiagele, 30(b)(6) Deposition April 12, 2022, pp. 207-208; [REDACTED]
[REDACTED] ROSS-009585472.

¹⁵⁹ Andrew Arruda, Deposition March 30, 2022, p. 70.

160 [REDACTED]
[REDACTED] ROSS-003334354.

161 [REDACTED]
[REDACTED] ROSS-003334354.

ROSS-003610162-ROSS-003610165 at ROSS-003610164.

163. [REDACTED]
[REDACTED] ROSS-003610162-ROSS-003610165 at ROSS-003610163.

164 [REDACTED]
[REDACTED] ROSS-003610162-ROSS-003610165 at ROSS-003610162.

165 [REDACTED]
[REDACTED]
[REDACTED] ROSS-003277880-ROSS-003277881 at
ROSS-003277880.

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹⁶⁶ [REDACTED] ROSS-003277880-ROSS-003277881 at ROSS-003277881.

¹⁶⁷ [REDACTED] 'TR-0038909-TR-0038920 at 'TR-0038910.

¹⁶⁸ [REDACTED] 'TR-0038921-TR-0038922.

¹⁶⁹ Defendant and Counterclaimant ROSS Intelligence Inc.'s Supplemental Responses and Objections to Plaintiffs' Set of Interrogatories (Supplemental Response to Interrogatory No. 11 Only), February 22, 2022, Supplemental Answer to Interrogatory No. 2, p. 12.

¹⁷⁰ [REDACTED] CASEMAKER_029770-CASEMAKER_029776.

¹⁷¹ Andrew Arruda, Deposition March 30, 2022, pp. 83-84.

¹⁷² Andrew Arruda, Deposition March 30, 2022, pp. 83-84.

¹⁷³ Andrew Arruda, Deposition March 30, 2022, pp. 275, 277.

¹⁷⁴ [REDACTED] ROSS-003487472-ROSS-003487474 at ROSS-003487473.

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INTELLECTUAL CAPITAL EQUITY

[illegible]

¹⁷⁵ Andrew Arruda, Deposition March 30, 2022, pp. 95-96, 280-283.

¹⁷⁶ Jimoh Ovbiagele, 30(b)(6) Deposition April 12, 2022, pp. 186-188.

177 [REDACTED]
[REDACTED] ROSS-000197671-ROSS-000197673 at ROSS-000197672.

¹⁷⁸ Tomas van der Heijden, 30(b)(6) Deposition March 17, 2022, pp. 324-325.

179 [REDACTED]
[REDACTED] ROSS-000197671-ROSS-000197673 at ROSS-000197672.

¹⁸⁰ Tomas van der Heijden, 30(b)(6) Deposition March 17, 2022, pp. 325-326.

¹⁸¹ Tomas van der Heijden, 30(b)(6) Deposition March 17, 2022, p. 327.

¹⁸² Tariq Hafeez, 30(b)(6) Deposition May 26, 2022, pp. 78-79;

[REDACTED] R-LEGALEASE-00050718-R-LEGALEASE-00050721 at R-
LEGALEASE-00050720.

183 [REDACTED]
[REDACTED] R-
LEGALEASE-00050718-R-LEGALEASE-00050721 at R-LEGALEASE-00050718.

¹⁸⁴ Tariq Hafeez, 30(b)(6) Deposition May 26, 2022, pp. 78-79.

¹⁸⁵ Tariq Hafeez, 30(b)(6) Deposition May 26, 2022, p. 80.

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[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]

186 [REDACTED] ROSS-000176759-ROSS-000176767 at ROSS-000176761.

187 [REDACTED] ROSS-000176759-ROSS-000176767 at ROSS-000176766.

188 [REDACTED]
[REDACTED]
[REDACTED] ROSS-000304769-ROSS-000304784 at ROSS-000304771-ROSS-000304774.

189 [REDACTED]
[REDACTED]
[REDACTED] ROSS-000304769-ROSS-000304784 at ROSS-000304771-ROSS-000304772.

190 [REDACTED]
[REDACTED] ROSS-000304769-ROSS-000304784 at ROSS-000304771.

191 [REDACTED]
[REDACTED] ROSS-000304769-ROSS-000304784 at ROSS-000304771-ROSS-000304772.

192 [REDACTED] ROSS-000175054-ROSS-000175067 at ROSS-000175056.

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹⁹³ Sean Shafik, 30(b)(6) Deposition April 22, 2022, p. 122, [REDACTED] ROSS-003382388.

¹⁹⁴ [REDACTED] TR-0039933-TR-0039942.

¹⁹⁵ Tariq Hafeez, 30(b)(6) Deposition May 26, 2022, p. 238.

¹⁹⁶ [REDACTED] R-LEGALEASE-00048772-R-LEGALEASE-00048776 at R-LEGALEASE-00048772.

¹⁹⁷ [REDACTED] R-LEGALEASE-00048772-R-LEGALEASE-00048776 at R-LEGALEASE-00048773.

¹⁹⁸ [REDACTED] R-LEGALEASE-00048772-R-LEGALEASE-00048776 at R-LEGALEASE-00048773-R-LEGALEASE-00048774.

¹⁹⁹ [REDACTED] R-LEGALEASE-00048772-R-LEGALEASE-00048776 at R-LEGALEASE-00048775.

²⁰⁰ Tariq Hafeez, 30(b)(6) Deposition May 26, 2022, pp. 284-285; [REDACTED] R-LEGALEASE-00048728-R-LEGALEASE-00048737 at R-LEGALEASE-00048735-R-LEGALEASE-00048736.

²⁰¹ [REDACTED] R-LEGALEASE-00048728-R-LEGALEASE-00048737 at R-LEGALEASE-00048736.

²⁰² Defendant and Counterclaimant ROSS Intelligence Inc.'s Supplemental Responses and Objections to Plaintiffs' Set of Interrogatories (Supplemental Response to Interrogatory No. 11 Only), February 22, 2022, Supplemental Answer to Interrogatory No. 11, p. 63.

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[REDACTED]

[REDACTED]

6.5

[REDACTED]

[REDACTED]

²⁰³ Jimoh Ovbiagele, 30(b)(6) Deposition April 12, 2022, pp. 184-185.

²⁰⁴ Jimoh Ovbiagele, 30(b)(6) Deposition April 12, 2022, pp. 186-187.

²⁰⁵ [REDACTED] ROSS-009722263-ROSS-009722299 at ROSS-009722264.

²⁰⁶ [REDACTED] TR-0037669-TR-0037676 at TR-0037674-TR-0037675.

²⁰⁷ Khalid Al-Kofahi, Deposition April 8, 2022, p. 24.

²⁰⁸ Isabelle Moulinier, 30(b)(6) Deposition July 1, 2022, p. 143; Opening Expert Report of Dr. Jonathan L. Krein, August 1, 2022, p. 37.

²⁰⁹ Defendant and Counterclaimant ROSS Intelligence Inc.'s Supplemental Responses and Objections to Plaintiffs' Set of Interrogatories (Supplemental Response to Interrogatory No. 11 Only), February 22, 2022, Supplemental Answer to Interrogatory No. 11, p. 63.

²¹⁰ Jimoh Ovbiagele, 30(b)(6) Deposition April 12, 2022, pp. 186-187.

²¹¹ [REDACTED]
[REDACTED] ROSS-003610162-ROSS-003610165 at ROSS-003610163.

²¹² [REDACTED]
[REDACTED] ROSS-003610162-ROSS-003610165 at ROSS-003610162.

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215 [REDACTED]
[REDACTED] R-LEGALEASE-00048728-R-LEGALEASE-00048737 at R-LEGALEASE-00048735.



7 [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

■ [REDACTED]
[REDACTED]

■ [REDACTED]

■ [REDACTED]
[REDACTED]

■ [REDACTED]
[REDACTED]

■ [REDACTED]
[REDACTED]

■ [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

■ [REDACTED]

■ [REDACTED]

²¹⁶ Andrew Martens, 30(b)(6) Deposition March 25, 2022, pp. 145-147; [REDACTED]
[REDACTED] TR-0359503-TR-0359560
at TR-0359503-TR-0359504 and TR-0359509-TR-0359542.

²¹⁷ Khalid Al-Kofahi, Deposition April 8, 2022, p. 19.

²¹⁸ [REDACTED]
[REDACTED] TR-0002758-TR-0002768 at TR-0002758-TR-0002760.

²¹⁹ Khalid Al-Kofahi, Deposition April 8, 2022, pp. 16-17.

²²⁰ Andrew Martens, 30(b)(6) Deposition March 25, 2022, pp. 151-152; [REDACTED] TR-
[REDACTED] TR-
0359401-TR-0359443 at TR-0359401-TR-0359403 and TR-0359410-TR-0359441.

²²¹ Andrew Martens, 30(b)(6) Deposition March 25, 2022, pp. 153-155; [REDACTED]
[REDACTED]

[REDACTED] TR-0358927-TR-0358948.

²²² Andrew Arruda, Deposition March 30, 2022, pp. 11-12, 37-38.

²²³ Andrew Martens, 30(b)(6) Deposition March 25, 2022, p. 156; [REDACTED] TR-
[REDACTED] TR-
0359181-TR-0359186; [REDACTED]
[REDACTED] TR-0359202-TR-0359204.

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- [REDACTED]
- [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- [REDACTED]
- [REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]
[REDACTED]

224 [REDACTED]
[REDACTED] TR-0038909-TR-0038920.
225 [REDACTED] TR-
0038921-TR-0038922.
226 Tariq Hafeez, 30(b)(6) Deposition May 26, 2022, p. 78.
227 Tariq Hafeez, 30(b)(6) Deposition May 26, 2022, p. 79.
228 [REDACTED]
[REDACTED] TR-0039933-TR-0039942.
229 [REDACTED]
[REDACTED] ROSS-000304769-ROSS-000304784 at ROSS-000304771-ROSS-
000304774.
230 [REDACTED]
CASEMAKER_029770-CASEMAKER_029776.
231 [REDACTED]
[REDACTED] R-LEGALEASE-00048772-R-LEGALEASE-00048776.
232 [REDACTED]
[REDACTED] R-LEGALEASE-00048728-R-LEGALEASE-00048737.

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- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

²³³ [REDACTED] LEGALEASE-00108391.

²³⁴ Andrew Martens, 30(b)(6) Deposition March 25, 2022, pp. 153-155, 201-203; [REDACTED] TR-0358967-TR-0358988 at TR-0358967, TR-0358969-TR-0358970, TR-0358986-TR-0358987.

²³⁵ [REDACTED] ROSS-000247119-ROSS-000247120.

²³⁶ [REDACTED] ROSS-000241438-ROSS-000241439.

²³⁷ Andrew Martens, 30(b)(6) Deposition March 25, 2022, pp. 157-159; [REDACTED] TR-0359959-TR-0360216 at TR-0359962-TR-0359968; [REDACTED] TR-0359564-TR-0359954.

²³⁸ Complaint, May 6, 2020.

²³⁹ [REDACTED] TR-0037677-TR-0037680 at TR-0037677.

²⁴⁰ [REDACTED] TR-0037677-TR-0037680 at TR-0037677.

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INTELLECTUAL CAPITAL EQUITY

8

[REDACTED]

[illegible]

²⁴¹ Complaint, May 6, 2020, p. 8.

²⁴² Complaint, May 6, 2020, p. 8.

²⁴³ Complaint Exhibit A, May 6, 2020.

²⁴⁴ Copyright Registration TXu 65-600, April 8, 1981, Complaint Exhibit A, May 6, 2020, pp. 2-3.

²⁴⁵ Complaint, May 6, 2020, p. 13.

²⁴⁶ Complaint, May 6, 2020, p. 13.

²⁴⁷ Complaint, May 6, 2020, p. 14.

²⁴⁸ Complaint, May 6, 2020, pp. 9, 12.

²⁴⁹ Complaint, May 6, 2020, pp. 11-12.

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[REDACTED]

²⁵⁰ Complaint, May 6, 2020, pp. 11-14.

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9 [REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

(a) [REDACTED]
[REDACTED]

(1) [REDACTED]
[REDACTED]

(2) [REDACTED]

(b) [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

(c) [REDACTED]

(1) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

(2) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

²⁵¹ 17 U.S.C. § 504.



[REDACTED]

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[REDACTED]

[REDACTED]

10.1

[REDACTED]

²⁶⁰ [REDACTED] ROSS-000204366-ROSS-000204367 at ROSS-000204366.

²⁶¹ Tariq Hafeez, 30(b)(6) Deposition May 26, 2022, pp. 172-174.

²⁶² Complaint, May 6, 2020, p. 15.

²⁶³ Complaint, May 6, 2020, p. 15.

²⁶⁴ Restatement (Second) of Torts § 766.

²⁶⁵ *Great Am. Opportunities, Inc. v. Cherrydale Fundraising, LLC*, No. 3718-VCP, 2010 WL 338219, at * 27 (Del. Ch. Jan. 29, 2010).

²⁶⁶ Restatement (Second) of Torts § 766.

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11 [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

11.1 [REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

²⁷⁰ Huge “foundation models” are turbo-charging AI progress,” The Economist, June 11, 2022, [https://www.economist.com/interactive/briefing/2022/06/11/huge-foundation-models-are-turbo-charging - AI-progress](https://www.economist.com/interactive/briefing/2022/06/11/huge-foundation-models-are-turbo-charging-AI-progress).

²⁷¹ Huge “foundation models” are turbo-charging AI progress,” The Economist, June 11, 2022, [https://www.economist.com/interactive/briefing/2022/06/11/huge-foundation-models-are-turbo-charging - AI-progress](https://www.economist.com/interactive/briefing/2022/06/11/huge-foundation-models-are-turbo-charging-AI-progress).

²⁷² Huge “foundation models” are turbo-charging AI progress,” The Economist, June 11, 2022, [https://www.economist.com/interactive/briefing/2022/06/11/huge-foundation-models-are-turbo-charging - AI-progress](https://www.economist.com/interactive/briefing/2022/06/11/huge-foundation-models-are-turbo-charging-AI-progress).

²⁷³ The world’s most valuable resource is no longer oil, but data, The Economist, May 6, 2017, <https://www.economist.com/leaders/2017/05/06/the-worlds-most-valuable-resource-is-no-longer-oil-but-data>.

²⁷⁴ The world’s most valuable resource is no longer oil, but data, The Economist, May 6, 2017, <https://www.economist.com/leaders/2017/05/06/the-worlds-most-valuable-resource-is-no-longer-oil-but-data>.

²⁷⁵ Data Privacy Day at Apple: Improving transparency and empowering users, Apple, January 27, 2021, <https://www.apple.com/newsroom/2021/01/data-privacy-day-at-apple-improving-transparency-and-empowering-users/>.

²⁷⁶ Buy Clean Datasets For Machine Learning, DataStock, <https://datastock.shop/buy-clean-datasets/>.

²⁷⁷ Opening Expert Report of Dr. Jonathan Krein, August 1, 2022, pp. 78-79; “Getty Images Launches Industry-First Model Release Supporting Data Privacy in Artificial Intelligence and Machine Learning,” March 22, 2022, <http://press.gettyimages.com/getty-images-launches-industry-first-model-release-supporting-data-privacy-in-artificial-intelligence-and-machine-learning/>.

²⁷⁸ Opening Expert Report of Dr. Jonathan Krein, August 1, 2022, pp. 79-80; Defined.AI Home Page, <https://www.defined.ai/>.

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INTELLECTUAL CAPITAL EQUITY

[illegible]

279 Opening Expert Report of Dr. Jonathan Krein, August 1, 2022, pp. 82-83; “Data Science and Analytics,” https://www.lexisnexis.com/en-us/professional/connect/daas/data-science.page?utm_source=google&utm_medium=cpc&utm_term=machine%20learning%20data&utm_campaign=BR-M-NEX-US-DAAS-PPC-BMM-2020&utm_content=&gclid=Cj0KCQjw2_OWbDqARIsAAUNTTFfpb40XXJNBLhBRC-Kq4Roa3KpOH91Bz8LvUeGwNmME0FfW2hftZ8aApbzEALw_wcB.

²⁸⁰ Categorize your data set for optimal search results with our superior taxonomy offering, LexisNexis, <https://internationalsales.lexisnexis.com/partners/taxonomy>.

281 [REDACTED] TR-0037669-TR-0037676.

²⁸² Khalid Al-Kofahi, Deposition April 8, 2022, p. 19.

²⁸³ Isabelle Moulinier, 30(b)(6) Deposition July 1, 2022, p. 143.

²⁸⁴ Isabelle Moulinier, 30(b)(6) Deposition July 1, 2022, p. 104.

²⁸⁵ Opening Expert Report of Dr. Jonathan Krein, August 1, 2022, p. 75.

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[REDACTED]

[REDACTED]

[REDACTED]

²⁸⁶ Comparing 3 Legal Research Software Products, Capterra, Casetext vs Fastcase vs Lexis, <https://www.capterra.com/legal-research-software/compare/196820-168929-196819/CARA-vs-Fastcase-vs-Lexis-Advance>.

²⁸⁷ How Bloomberg Law (BLAW) Uses AI and Machine Learning to Prove its Case, Bloomberg, June 7, 2019, <https://www.bloomberg.com/company/stories/bloomberg-law-blaw-uses-ai-machine-learning-prove-case/>.

²⁸⁸ Comparing 3 Legal Research Software Products, Capterra, Casetext vs Fastcase vs Lexis, <https://www.capterra.com/legal-research-software/compare/196820-168929-196819/CARA-vs-Fastcase-vs-Lexis-Advance>.

²⁸⁹ Casemaker Offers Its Members Access to Vincent, AI Tool from vLex, LawSites, March 12, 2019, <https://www.lawnext.com/2019/03/casemaker-offers-its-members-access-to-vincent-ai-tool-from-vlex.html>.

²⁹⁰ Comparing 3 Legal Research Software Products, Capterra, Casetext vs Fastcase vs Lexis, <https://www.capterra.com/legal-research-software/compare/196820-168929-196819/CARA-vs-Fastcase-vs-Lexis-Advance>.

²⁹¹ Declaration of Andrew Arruda, *West Publishing Corporation v. LegalEase Solutions, LLC*, Case No. 0:18-cv-01445, October 1, 2019, p. 1.

²⁹² Sean Shafik, 30(b)(6) Deposition April 22, 2022, p. 122, [REDACTED] ROSS-003382388.

²⁹³ Jimoh Ovbiagele, 30(b)(6) Deposition April 12, 2022, pp. 167-168.

²⁹⁴ [REDACTED] ROSS-003386670-ROSS-003386683 at ROSS-003386678.

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[REDACTED]

11.2

[REDACTED]

11.2.1

[REDACTED]

²⁹⁵

ROSS-003389728-ROSS-0003389730 at ROSS-003389728.

²⁹⁶ Tomas van der Heijden, 30(b)(6) Deposition March 17, 2022, p. 157.

²⁹⁷ Andrew Arruda, Deposition March 30, 2022, pp. 39, 103, 114; [REDACTED] ROSS-003705907-ROSS-003705908 at ROSS-003705907; Declaration of Andrew Arruda, *West Publishing Corporation v. LegalEase Solutions, LLC*, Case No. 0:18-cv-01445, October 1, 2019, p. 2; Tomas van der Heijden, 30(b)(6) Deposition March 17, 2022, p. 55.

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INTELLECTUAL CAPITAL EQUITY

[illegible]

298- [REDACTED]
[REDACTED] TR-0038909-TR-0038920; [REDACTED]
[REDACTED]
[REDACTED] ROSS-
000304769-ROSS-000304784 at ROSS-000304771-ROSS-000304774.
299 Tariq Hafeez, 30(b)(6) Deposition May 26, 2022, pp. 78-79.
300 Jimoh Ovbiagele, 30(b)(6) Deposition April 12, 2022, pp. 186-188.
301 Tariq Hafeez, 30(b)(6) Deposition May 26, 2022, pp. 78-79; [REDACTED]
[REDACTED] TR-0002723; [REDACTED]
[REDACTED]
[REDACTED] R-LEGALEASE-00101636-R-LEGALEASE-00101642 at
R-LEGALEASE-00101637; Jimoh Ovbiagele, 30(b)(6) Deposition April 12, 2022, pp. 181-183, 186.
302 Plaintiffs and Counterdefendants Thomson Reuters Enterprise Centre GmbH and West Publishing
Corporation's Second Supplemental Responses and Objections to Defendant and Counterclaimant ROSS
Intelligence Inc.'s Interrogatory No. 1, March 23, 2022.
303 Mark Hoffman, Deposition March 16, 2022, pp. 20, 101.
304 Plaintiffs and Counterdefendants Thomson Reuters Enterprise Centre GmbH and West Publishing
Corporation's Second Supplemental Responses and Objections to Defendant and Counterclaimant ROSS
Intelligence Inc.'s Interrogatory No. 21, June 9, 2022, Response to Interrogatory No. 20 and Second
Supplemental Response to Interrogatory No. 21, pp. 15-16, 24; [REDACTED]
[REDACTED] TR-0894151-TR0894157 at TR-0894151; Mark
Hoffman, Deposition March 16, 2022, pp. 19-20, 27; [REDACTED]
[REDACTED] tab [REDACTED]; Schedule 5.0.

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[REDACTED]

[REDACTED]

11.2.1.1 [REDACTED]

[REDACTED]

³⁰⁵ Plaintiffs and Counterdefendants Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation's Second Supplemental Responses and Objections to Defendant and Counterclaimant ROSS Intelligence Inc.'s Interrogatory No. 21, June 9, 2022, Second Supplemental Response to Interrogatory No. 21, p. 24; [REDACTED] TR-0002846-TR-0002847 at TR-0002846; [REDACTED] TR-0836004, [REDACTED]; Schedule 5.0.

³⁰⁶ [REDACTED] TR-0836004, [REDACTED].

³⁰⁷ Tariq Hafeez, 30(b)(6) Deposition May 26, 2022, pp. 78-79.

³⁰⁸ [REDACTED] R-LEGALEASE-00101636-
R-LEGALEASE-00101642 at R-LEGALEASE-00101641.

³⁰⁹ [REDACTED] R-LEGALEASE-00101636-
R-LEGALEASE-00101642 at R-LEGALEASE-00101640.

³¹⁰ [REDACTED] R-LEGALEASE-00101636-
R-LEGALEASE-00101642 at R-LEGALEASE-00101637.

³¹¹ [REDACTED] R-LEGALEASE-00101636-
R-LEGALEASE-00101642 at R-LEGALEASE-00101637.

³¹² [REDACTED], TR-0836004, [REDACTED].

³¹³ Interview of Mark Hoffman.

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[REDACTED]

[REDACTED]

[REDACTED]

11.2.1.2 [REDACTED]

[REDACTED]

³¹⁴ Schedule 1.0.

³¹⁵ Schedule 2.0.

³¹⁶ Plaintiffs and Counterdefendants Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation's Second Supplemental Responses and Objections to Defendant and Counterclaimant ROSS Intelligence Inc.'s Interrogatory No. 21, June 9, 2022, Second Supplemental Response to Interrogatory No. 21, p. 24; [REDACTED] TR-0002846-TR-0002847 at TR-0002846; [REDACTED]

[REDACTED] TR-0836004, [REDACTED]; Schedule 5.0.

³¹⁷ Schedule 5.0.

³¹⁸ Schedule 2.0.

³¹⁹ Schedule 1.0.

³²⁰ Schedule 1.0.

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

³²¹ Schedule 3.1.

³²² Schedule 3.1.

³²³ Schedule 3.1.

³²⁴ Schedule 3.1.

³²⁵ Schedule 3.1.

³²⁶ Schedule 3.0.

³²⁷ Interview of Mark Hoffman.

³²⁸ Schedule 3.1.

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[REDACTED]

[REDACTED]

[REDACTED]

11.2.2 [REDACTED]

[REDACTED]

³²⁹ Schedule 3.3.

³³⁰ [REDACTED];

Schedule 5.0.

³³¹ Schedule 3.3.

³³² Schedule 3.3.

³³³ Schedule 3.2.

³³⁴ Schedule 1.1.

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11.2.2.1 [REDACTED]

[REDACTED]

11.2.2.2 [REDACTED]

[REDACTED]

³³⁵ Interview of Mark Hoffman.

³³⁶ Interview of Mark Hoffman.

³³⁷ Complaint Exhibit A, May 6, 2020.

³³⁸ Section 6.1.3

³³⁹ [REDACTED] FASTCASE_085445-FASTCASE_085448 at FASTCASE_085447.

³⁴⁰ New Leadership at Legal Research Company Casemaker, Bob Ambrogi, June 5, 2018, LawSites, <https://www.lawnext.com/2018/06/new-leadership-legal-research-company-casemaker.html>.

³⁴¹ [REDACTED] CASEMAKER_029770-CASEMAKER_029776 at CASEMAKER_029770 and CASEMAKER_029772.

³⁴² [REDACTED] ROSS-009722263-ROSS-009722299 at ROSS-009722299.

³⁴³ Schedule 3.0 and Schedule 3.2.

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

³⁴⁴ Schedule 2.1.

³⁴⁵ Schedule 1.0.

³⁴⁶ Schedule 3.0.

³⁴⁷ [REDACTED] TR-0836004.

³⁴⁸ [REDACTED];

Schedule 5.0.

³⁴⁹ Interview of Mark Hoffman.

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[REDACTED]

11.2.3 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

³⁵⁰ Schedule 3.2.

³⁵¹ Schedule 1.0.

³⁵² Schedule 1.1.

³⁵³ Restatement (Second) of Torts § 766.



12 [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

12.1 [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

³⁵⁴ 17 U.S.C. § 504.

³⁵⁵ *Great Am. Opportunities, Inc. v. Cherrydale Fundraising, LLC*, No. 3718-VCP, 2010 WL 338219, at * 27 (Del. Ch. Jan. 29, 2010).

³⁵⁶ [REDACTED]
[REDACTED] ROSS-009720945; [REDACTED]
[REDACTED] ROSS-009664862; [REDACTED]
[REDACTED] ROSS-009690394; [REDACTED]
[REDACTED] ROSS-009721062.

³⁵⁷ [REDACTED] TR-0037677-TR-0037680 at TR-0037677.

³⁵⁸ [REDACTED] ROSS-009722263-ROSS-009722299 at ROSS-009722264.

³⁵⁹ Schedule 6.0.

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INTELLECTUAL CAPITAL EQUITY

13

³⁶⁰ Defendant and Counterclaimant ROSS Intelligence Inc.'s Supplemental Responses and Objections to Plaintiffs' Set of Interrogatories (Supplemental Response to Interrogatory No. 11 Only), February 22, 2022, Supplemental Answer to Interrogatory No. 11, p. 63.

³⁶¹ Tomas van der Heijden, 30(b)(6) Deposition March 17, 2022, p. 324.

³⁶² Tariq Hafeez, 30(b)(6) Deposition May 26, 2022, p. 238.

³⁶³ Plaintiffs and Counterdefendants Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation's Second Supplemental Responses and Objections to Defendant and Counterclaimant ROSS Intelligence Inc.'s Interrogatory No. 21, June 9, 2022, First Supplemental Response to Interrogatory No. 21, p. 22.

364 Schedule 1.2

³⁶⁵ Plaintiffs and Counterdefendants Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation's Second Supplemental Responses and Objections to Defendant and Counterclaimant ROSS Intelligence Inc.'s Interrogatory No. 21, June 9, 2022, First Supplemental Response to Interrogatory No. 21, p. 22.

³⁶⁶ Opening Expert Report of Dr. Jonathan L. Krein, August 1, 2022, Appendix C.

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[REDACTED]

³⁶⁷ Schedule 4.0.

³⁶⁸ Schedule 4.0.

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14 SIGNATURE

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Respectfully submitted,



James E. Malackowski

August 1, 2022

Date

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Appendix A

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July 14, 2022

JAMES E. MALACKOWSKI CURRICULUM VITAE

James E. Malackowski is a Co-founder and Senior Managing Director of Ocean Tomo, LLC, a part of J.S. Held. Ocean Tomo provides Financial Expert, Management Consulting, and Advisory services related to intellectual property (IP) and other intangible assets; corporate accounting investigations; regulatory and reporting obligations; solvency and restructuring; and contractual or competition disputes. Practice offerings address economic damage calculations and testimony; accounting investigations and financial forensics; technology and intangible asset valuation; strategy and risk management consulting; mergers and acquisitions; debt and equity private placement; and IP brokerage. Subsidiaries of Ocean Tomo include Ocean Tomo Investments Group, LLC, a registered broker-dealer. With more than 100 offices globally, J.S. Held assists clients – corporations, insurers, law firms, governments, and institutional investors – on complex technical, scientific, and financial matters across all assets and value at risk.

Along with Supreme Court Justice Stephen Breyer, Mr. Malackowski was inducted into the IP Hall of Fame in 2022, chosen by the IP Hall of Fame Academy from a longlist of nominees put forward by the global IP community. Mr. Malackowski was recognized by the Academy in 2022 with the Q. Todd Dickinson Award, which honors those who have made significant contributions to IP as a business asset. Mr. Malackowski's inclusion into the IP Hall of Fame follows annual recognition since 2007 by leading industry publications as one of the 'World's Leading IP Strategists'. Significantly, Mr. Malackowski is listed among "50 Under 45" by *IP Law & Business*™; included in the *National Law Journal*'s inaugural list of 50 Intellectual Property Trailblazers & Pioneers; and, named as one of "The Most Influential People in IP" by *Managing Intellectual Property*™. Mr. Malackowski was named as 1 of 50 individuals, companies and institutions that framed the first 50 issues of *IAM Magazine* as well as 1 of 60 leading global Economics Expert Witnesses by the same publication in 2014. In 2011 Mr. Malackowski was selected by the World Economic Forum as one of less than twenty members of the Network of Global Agenda Councils to focus on questions of IP policy. In 2013 he was inducted into the Chicago Area Entrepreneurship Hall of Fame by the Institute for Entrepreneurial Studies at the University of Illinois at Chicago College of Business Administration. In 2018, Mr. Malackowski joined the Standards Development Organization Board of the Licensing Executives Society (USA & Canada), Inc. governing voluntary consensus-based professional practices that are guided in their development by the American National Standards Institute's (ANSI's) Essential Requirements. LES standards are designed to encourage and teach consensus practices in many of the business process aspects of intellectual capital management.

On more than one hundred occasions, Mr. Malackowski has served as an expert in U.S. Federal Court, U.S. Bankruptcy Court, State Court, Court of Chancery, the Ontario Superior Court of Justice, the U.S. Patent and Trademark Office Patent Trial and Appeal Board, and global arbitrations on questions relating to intellectual property economics including the subject of valuation, reasonable royalty, lost profits, price erosion, commercial success, corrective advertising, creditor allocations, Hatch Waxman Act market exclusivity, business significance of licensing terms including RAND obligations, venture financing including expected risk / return, and equities of a potential injunction. Mr. Malackowski's experience extends to matters of general business valuation and commercial disputes, both domestic and foreign. Mr. Malackowski has publicly addressed policy issues affecting international trade and has provided expert opinions concerning antidumping and countervailing duties imposed by the U.S. Department of Commerce as well as testimony on domestic industry, bond, and remedies before the International Trade Commission.



Mr. Malackowski has substantial experience as a Board Director for leading technology corporations and research organizations as well as companies with critical brand management issues. He is Past President of The Licensing Executives Society International, Inc., with oversight for more than ten thousand members in thirty-two countries. Mr. Malackowski focuses his non-for-profit efforts with organizations leveraging science and innovation for the benefit of children and students, including those located in lesser developed countries. He has served since 2002 as a Trustee or Director of the National Inventors Hall of Fame, Inc., an organization providing summer enrichment programs for more than 100,000 students annually. For more than ten years Mr. Malackowski served as a Director of Chicago's Stanley Manne Children's Research Institute, advancing the organization's agenda to measure and report the impact of its pediatric research. He recently completed service on the Pritzker School of Molecular Engineering Council at the University of Chicago and continues as an Advisor to the Venture Builder Community at the University of Notre Dame.

Mr. Malackowski is a frequent speaker on emerging technology markets and related financial measures. He has addressed mass media audiences including Bloomberg Morning Call, Bloomberg Evening Market Pulse, Bloomberg Final Word, CNBC Closing Bell, CNBC On the Money, CNBC Street Signs, CNBC World Wide Exchange, CBS News Radio and Fox Business National Television as well as other recognized news-based internet video channels. Mr. Malackowski is a current or past judge for the Illinois Technology Association's CityLIGHTS™ Innovation Awards program, the University of Notre Dame McCloskey Venture Competition, 1st Source Faculty Commercialization Awards, and PBS's *Everyday Edisons*.

As an inventor, Mr. Malackowski has more than twenty issued U.S. patents. He is a frequent instructor for graduate studies on IP management and markets and a Summa Cum Laude graduate of the University of Notre Dame majoring in accountancy and philosophy. Mr. Malackowski is Certified/Accredited in Financial Forensics, Business Valuation and Blockchain Fundamentals. He is a Certified Licensing Professional and a Registered Certified Public Accountant in the State of Illinois. Mr. Malackowski has been certified to receive United States Sensitive Security Information (SSI) as governed by Title 49 Code of Federal Regulations.

EMPLOYMENT

Co-Founder and Senior Managing Director, *Ocean Tomo, LLC*, a part of *J.S. Held.*, July 1, 2003 to present. Mr. Malackowski is responsible for all aspects of the firm's intellectual property focused merchant banking practice. Mr. Malackowski served as Chairman from the firm's founding in 2003 until acceptance of Bow River Capital as a strategic partner in 2020. He served as Chief Executive Officer of Ocean Tomo, LLC from formation until its sale to J.H. Held in 2022.

President and Chief Executive Officer, *IP Equity Management, LLC*, doing business as Duff & Phelps Capital Partners, March 1, 2002 to June 30, 2003. The firm's intellectual property structured finance efforts were consolidated with Ocean Tomo on July 1, 2003.

Principal and Founder, *VIGIC Services, LLC*, July 1, 2000 to February 28, 2002. Mr. Malackowski identified and evaluated intellectual capital based private equity investment opportunities and served as an advisor to four completed transactions.

Principal and co-Founder, *IPC Group LLC*, August 1, 1988 – June 30, 2000. Mr. Malackowski also held the offices of President and CEO and was a Board



member / chairman of the firm. Along with four co-founders, Mr. Malackowski grew IPC Group to become the largest professional services firm specializing in intellectual property valuation and strategy consulting. IPC Group was sold in 1999 later changing its name to InteCap.

Executive Consultant, *Peterson & Co. Consulting*, Chicago, June 3, 1985 – July 30, 1988. Mr. Malackowski began with Peterson as a Staff Consultant and was the firm's quickest promotion to both Senior Consultant and Executive Consultant. Mr. Malackowski helped to establish the firm's intellectual property litigation and valuation practice. Peterson & Co. was sold to Saatchi & Saatchi PLC in 1988.

**NON-PROFIT AND
ASSOCIATION
EXPERIENCE**

Mr. Malackowski has been active in The Licensing Executives Society (LES) locally, nationally and internationally. LES is the premiere global professional association of technology transfer and intellectual asset management professionals with more than 9,000 members in more than 32 countries.

Mr. Malackowski is Past President of the Licensing Executives Society International, LLC, where his experience included the following positions:

- Director, LES Standards Development Organization (2018 – present)
- Chair, Past President's Council (2012 – 2013)
- President and Member of the Board (2011 - 2012)
- President Elect and Member of the Board (2010 - 2011)
- Secretary and Member of the Board (2007 - 2010)
- Member and Permanent Alternate, Board of Delegates (1992 - 2005)
- Past Chair, Membership, Investment, Education, Long-range Planning and Global Technology Impact Forum Committees.

Mr. Malackowski's term as President of LESI has been recognized for creation of the LESI Global Technology Impact Forum and concurrent Invent For Humanity™ Technology Transfer Exchange Fair; formalizing the National Presidents' Council; establishing the position of a permanent Executive Director; and, restructuring the leadership of LESI committees utilizing a Chair, Past Chair, Chair Elect ladder combined with functional responsibilities for committee Vice Chairs. This later organizational stamp is based largely on Mr. Malackowski's experience as President of LES USA & Canada described below where he led a restructuring of the Board from a regional to a functional focus for each officer and Trustee. As with his tenure at his national Society discussed below, Mr. Malackowski led a financial turn-around returning LESI to positive cash flow following its' only two years of loss.

Mr. Malackowski is also Past President of The Licensing Executives Society (USA and Canada), Inc. where he held numerous offices in the organization including:

- President and Member of the Board (2001 – 2002)
- International Vice President and Member of the Board (2000)
- Treasurer and Member of the Board (1996 -- 1999)



- Trustee and Member of the Board (1992 – 1996)
- Chair, Annual Meeting in Miami Beach (1998) and the Summer Meeting in Chicago (1997)

Mr. Malackowski presided over a restructuring of the LES USA & Canada Board and a financial turn-around returning the organization to positive cash flow following its only two years of loss to such date. Mr. Malackowski is the youngest President to hold office at LES USA & Canada as well as at LES International.

In 2007, Mr. Malackowski was the Founding Chair of the Board of Governors for what is now Certified Licensing Professionals, Inc., administrator of the Certified Licensing Professional (CLP) program for professionals in the fields of licensing, business development and commercialization of intellectual property. More than 1,000 individuals involved in patenting, marketing, valuation, IP law, negotiation, and intellectual asset management have earned the CLP certification. CLP, Inc. is a 501(c)(6) organization whose mission is to elevate the licensing profession through knowledge and standards.

In 2018 Mr. Malackowski joined the Standards Development Organization Board of LES USA & Canada. LES standards are voluntary consensus-based professional practices that are guided in their development by the "American National Standards Institute's (ANSI's) Essential Requirements." ANSI is the unique accrediting agency in the United States for voluntary consensus standards development organizations. LES is an accredited ANSI Standards Developer and as such guarantees its constituents that its standards will be developed in a fair, balanced, consensus-based, due process driven way. LES standards are designed to encourage and teach consensus practices in many of the business process aspects of intellectual capital management and, where appropriate, offer enterprises the opportunity to differentiate themselves based on their use of these consensus professional practices, through certification of conformance to those standards.

Mr. Malackowski extends significant time to non-profit activities directed towards a further understanding of the economic importance of innovation and intellectual property, in both the United States and developing economies. These efforts include:

- Founding Board Member and member of the Executive Committee, United Stages Intellectual Property Alliance (USIPA) and Global Intellectual Property Alliance, (2020 -)
- Judge, University of Notre Dame McCloskey Venture Competition (2019 -)
- Advisory Council, University of Chicago, Pritzker School of Molecular Engineering (2018 - 2022)
- Judge, Illinois Technology Association, CityLIGHTS™ Innovation Awards (2013 - 2020)
- Member, World Economic Forum Network of Global Agenda Councils (2011 - 2012)
- Director, International Intellectual Property Institute, Washington D.C., (2002 - 2007)
- Resident Advisor, U.S. Information Agency, (1999)



- Resident Advisor, U.S. Department of Commerce Commercial Law and Development Program (1997)
- Founder and Chairman, The Center for Applied Innovation, Inc. (2004 -)

In addition to his University instruction described herein, Mr. Malackowski focuses his non-for-profit efforts with those organizations leveraging science and innovation for the benefit of children.

- Director, Children's Research Fund (2013); Co-Chair Annual Fund Campaign (2013)
- Director, National Inventors Hall of Fame, Inc. (NIHF) including service as a Member, Trustee or Director of related subsidiaries and Board Committees (2001 - present). The NIHF provides summer enrichment programs for more than 160,000 students annually including [Camp Invention™](#) for kids in grades 1-6 (and their parents and teachers); [Collegiate Inventors Competition™](#) for college students (and their mentors); and, [Club Invention™](#) for kids in grades 1-6 (and their parents and teachers). NIHF provides more than 20,000 camp scholarships annually for children in financial need.
- President's Council, Chicago Museum of Science and Industry (2005 - 2011) including participation on the Education Advisory Committee (2007 - 2009) and the Alternative Revenue Committee (2008 - 2011)
- Director, Stanley Manne Children's Research Institute (2009 - 2020) including Chair of the Board's Technology Transfer Committee (2014 - 2020) and the Strategic Planning Resources Committee (2011 - 2012). Mr. Malackowski is recognized for initiating the development of a program to measure and track innovation metrics relevant to the Institute.

Mr. Malackowski was the Founder of the Center for Applied Innovation, a Chicago based non-for-profit with both local and international programs. CAI was created to manage education, public policy outreach and related economic activity around applied technology and intellectual property (IP) rights in the State of Illinois and around the world.

- CAI created and patented the first commoditized contract for technology licensing, the Unit License Right™. This innovation has been licensed to the Chicago-based Intellectual Property Exchange International.
- Under Mr. Malackowski's continued leadership as Chairman, CAI organizes the Invent for Humanity™ Technology Transfer Exchange Fair (InventforHumanity.org) launched in January, 2012, in Geneva, Switzerland. Invent for Humanity showcases field-ready, sustainable innovations, known as "appropriate technologies", leveraging the experience of licensing professionals to match and structure the actual transfer of such technology to meet recognized needs of emerging market economies.

Mr. Malackowski's association and non-profit activities are informed in part by his participation in the Harvard Business School Executive Education Program on Governing for Nonprofit Excellence, November 2000. Mr. Malackowski's Board service is informed by his participation at the Rock Center Corporate



Governance Directors College for Venture-Backed Company Directors,
Stanford University, March 2016.

**RELATED
OFFICES**

Berg, LLC, Member, Council of Advisors, Senior Advisor, Intellectual Property
Licensing & Innovation (2012 - 2015)

The Copyright Hub, LLC d/b/a 3Discovered, Founder. The company was
formed as a collaborative venture between Ocean Tomo, LLC and Liberty
Advisor Group in 2013. 3Discovered is a current portfolio company of US-
based venture capital firm AITV. Mr. Malackowski served as Chairman of the
company through September 2016. (2103 – 2106)

Career Capture, LLC, Secretary (2022 -). Career Capture is a video based
recruiting platform focused on engineering and technical school graduates
entering the labor market. The company is a University of Southern California
Iovine & Young Academy project led by Chase J. Malackowski (son).

Curious Networks, Inc., Director, (1999 - 2000), Co-Chair of the Board's
Strategic Partnership Committee. Mr. Malackowski led the company's first and
second round of venture funding.

ewireless, Inc. (f/k/a JEMAN Holdings, Inc. d/b/a Cellular Linking), Director,
(1995-1999, 2000-2002)

Ford Global Technologies, Inc., Ford Motor Company, Director (1997 - 2001).
Mr. Malackowski advised Ford Motor Company on the original business
strategy which led to the formation of FGTL. FGTL was the largest known
technology management company in the United States during Mr.
Malackowski's term.

Infocast, Corporation (OTC BB: IFCC.OB), Director (2001-2002). Member of
the Audit and Compensation Committees. Mr. Malackowski led the transition
of the company's senior management team and continued U.S. based funding
efforts.

Insignis, Inc., Director (2000 - 2002) Mr. Malackowski led the company's first
round of venture funding. Insignis is a Chicago based provider of institutional
financial data services.

The Intellectual Property Coin Group, Inc., Chairman and Co-Founder (2018 -
2021). The company is a planned Ethereum based blockchain platform and
related cryptocurrency designed to facilitate IP based transactions.

The Intellectual Property Exchange International, Inc. Mr. Malackowski was
the founder of the company guiding initial product development of IPXI and
recruitment of executive management. In 2011, IPXI was funded by an industry
consortium including the Chicago Board Options Exchange. Mr. Malackowski
was the Chair or Co-Chair of the Exchange from inception to February 26, 2015.



JEMAN Technologies, Inc., Founder. (1995 – 1999). Mr. Malackowski led the company's efforts to develop new technologies related to wireless direct response services. JEMAN was sold to ewireless, Inc. in 1999 as part of a venture transaction funded by Bedrock Capital Partners and Tredegar Investments.

Positive Growth Ventures, LLC, Chairman. (2021 -). Mr. Malackowski organized the formation of an industry collective to facilitate direct-to-consumer cooperative advertising for health supplements and related medical products.

Silent-Yachts, GmbH, Member, Advisory Board (2021 -). Mr. Malackowski provides general business advice to both the company's chief executive as well as its U.S. distributor of solar-electric catamarans. Silent-Yachts is located in Magdalensberg, Kärnten, Austria.

Solutionary, Inc., Director (2000 - 2013). Arranged and advised on Solutionary's asset acquisition of S3Networks effective August 31, 2001 and sale to strategic buyer in 2013. Member of the Board's Compensation Committee.

Sendle, Pty, Advisor (2012 - 2015). See www.Sendle.com.

**EDUCATION AND
CERTIFICATION**

University of Notre Dame, B.B.A., Bachelor of Business Administration with majors in Accountancy and Philosophy. Graduated Summa Cum Laude, 1985.

Registered Certified Public Accountant, State of Illinois Certificate Number 41,187 issued January 16, 1986; License No. 239.007831; Expires September 24, 2022.

Certified Licensing Professional, Certificate Number 1606 issued July 1, 2008; Recertification through November 29, 2022.

Certified in Financial Forensics, CFF™, American Institute of Certified Public Accountants, Certificate Number 391 issued July 31, 2008; Expires July 31, 2022.

Accredited in Business Valuation, ABV™, American Institute of Certified Public Accountants, Certificate Number 4278 issued May 31, 2014; Expires July 31, 2022.

Accredited in Blockchain Fundamentals for Accounting and Finance Professionals, American Institute of Certified Public Accountants, Certificate Number 15860970, 2018 - 2020.

**UNIVERSITY
INSTRUCTION**

John Marshall Law School, Intellectual Property Damages (1992 - 1994)

DePaul University, Intellectual Property Entrepreneurial Finance (2003)



The George Washington University Law School, Intellectual Property Management (2004)

The University of Chicago Graduate School of Business:

- Intellectual Property Investment (2004 - 2006)
- Entrepreneurial Discovery, MBA Course 34705, Adjunct Professors Mark Tebbe and Brian Coe (Fall 2014 - 2015)

Indiana University Kelly School of Business, Intellectual Property Finance (2005)

University of Notre Dame, Mendoza College of Business, Adjunct Instructor:

- MBA Interterm Intensives, Intellectual Property Based Market Transactions, Valuation and Trading (Fall 2006, Fall 2008)
- MBA Executive Program, Course MBAE 70639, Intellectual Property, (Spring Semester 2008)
- MBA Program, Litigation Support and Valuation (Spring 2009)
- Notre Dame Law School, Advanced Trial Advocacy, LAW 75713-10 (Spring 2017)
- Member, Venture Builder Community Advisory Board (2019 -)

University of California at Berkeley Haas School of Business, Innovation Markets (2008)

Chicago-Kent College of Law, Adjunct Professor of Law, IP Financial Markets and Legal Principles (Fall 2008)

Rutgers Professional Science Master's Program, Fundamentals of Intellectual Property (Summer 2011)

Northwestern University Kellogg School of Management, Adjunct Instructor:

- MGMT 441, Intellectual Property Management, Clinical Professor James G. Conley (Fall 2012, Spring 2013 - 2017)
- DSGN 460, Innovation in Context, McCormick Engineering School (Spring 2017)

University of Texas McCombs School of Business, MBA Course: Open Innovation, Professor Sirkka Jarvenpaa (Spring 2013)

University of Arizona, James E. Rogers College of Law, Advisor, Intellectual Property & Entrepreneurship Clinic (2017 -)

- IP Valuation (Spring 2017)
- IP Valuation for Commercial Transactions (Spring 2019)



University of Southern California, Lloyd Greif Center for Entrepreneurial Studies at the Marshall School of Business, *Entrepreneurs Guide to Intellectual Property*, Professor Luke L. Dauchot, JFF 322 (Fall 2017)

MEMBERSHIPS

American Institute of Certified Public Accountants, Member 01182237 (1985 -)
The Economic Club of Chicago (1990 - 2019)
The Licensing Executives Society (1988 -)
Young Presidents' Organization ("YPO" / "YPO Gold" Chicago Chapter, 2006 – 2017) (Mid-America U.S. At Large Chapter, 2019 - 2021)

RECOGNITION AND AWARDS

Individually, Mr. Malackowski has been recognized for his expertise as well as his work in developing markets for intellectual property transfer including:

- Inductee, IP Hall of Fame Academy (2022)
- Received Q. Todd Dickinson Award, which honors those who have made significant contributions to IP as a business asset (2022)
- *EY Entrepreneur Of The Year®*, Regional Semifinalist (2019 and 2020)
- "IAM Global Leaders", *IAM Magazine* (2020)
- "IAM Patent 1000: The World's Leading Patent Professionals", *IAM Magazine* (2015-2021)
- Named to the *National Law Journal's* inaugural list of 50 Intellectual Property Trailblazers & Pioneers. (August 2014)
- Named as 1 of 60 leading global Economics Expert Witnesses in the *IAM Patent 1000*, *IAM Magazine*. Selection based on interviews by IAM researchers with more than 100 patent litigators. (May 2014)
- Inductee, Chicago Area Entrepreneurship Hall of Fame as selected by the Institute for Entrepreneurial Studies at the University of Illinois at Chicago College of Business Administration, (2013; 28th Year of Program)
- Named as 1 of 50 Individuals, Companies and Institutions that Framed the First 50 Issues of *IAM Magazine*, November / December 2011.
- "IP Personalities of 2008", *IAM blog* by Joff Wild, Editor
- "IAM Strategy 300: The World's Leading IP Strategists", *IAM Magazine* (2012-2021); formally presented and included as "World's 250 Leading IP Strategists", *IAM Magazine* (2009-2011)
- "50 Under 45", *IP Law & Business™* (2008)
- "The Most Influential People in IP", *Managing Intellectual Property™* (2007)
- Member, IP Hall of Fame Academy (2007-)

Ocean Tomo as a firm has been likewise recognized for its accomplishments including:

- Ocean Tomo was chosen as the exclusive U.S. representative for the 2016 Healthcare & Pharma Leading Expert Awards by *Global Health & Pharma Magazine*.
- Ocean Tomo was recognized as a member of the 2015 *Inc.5000®* list of fastest-growing private companies in America.



- Ocean Tomo was honored in 2011 with the “Best of Chicago Award in Investment Advisory Services” by the U.S. Commerce Association (USCA).
- In addition to Mr. Malackowski, Ocean Tomo as a firm was named as 1 of 50 Individuals, Companies and Institutions that Framed the First 50 Issues of *IAM Magazine*, November / December 2011 and the only firm other than Microsoft (2 of 50 mentions) to be recognized multiple times (5 of 50 mentions).
- The firm’s Chicago office was presented the *2011 Alfred P. Sloan Awards for Business Excellence in Workplace Flexibility* after having been finalist for scoring in the top 20% of all firm’s measured nationally.
- Ocean Tomo was recognized in 2010 by Corporate Voices for Working Families for its work-life balance as part of the National Workplace Flexibility Campaign published by *USA Today*.
- Ocean Tomo was recognized as a juried Finalist for the Illinois Technology Association 2010 CityLIGHTS Award for raising the stature of the Illinois technology industry.
- Selected as case study organization for Haas School of Business, University of California, Berkeley (2009)
- Selected as case study organization for Harvard Business School MBA Program (2008)
- Ocean Tomo was named one of 20 small and mid-sized firms recognized as the “Best Places to Work in Illinois” by Best Companies Group in a competition sponsored by the Illinois Chamber of Commerce and the Illinois State Council Society for Human Resource (2007)
- Ocean Tomo Auctions received the 2006 Chicago Innovation Award for most innovative new product or service introduced between January 1, 2005, and July 31, 2006, that uniquely satisfied unmet needs in the marketplace. The award was presented by Kuczmarski & Associates and the *Chicago Sun-Times*.
- Ocean Tomo Auctions was awarded the Department of Commerce Technology Administration & National Knowledge & Intellectual Property Management 2006 Innovator of the Year Award.
- Ocean Tomo was recognized as a “Top Ten IP Newsmakers of 2006” by *IP Law & Business*, Almanac 2006.

Numerous authors and graduate business programs have written case studies about Ocean Tomo and its affiliates including:

- Piscione, Deborah Perry, [The Risk Factor](#), Copyright 2014.
- Houle, David, [Entering the Shift Age](#), Copyright 2013.
- Kuczmarski, Thomas D., Dan Miller and Luke Tanen, [Innovating Chicago-Style: How Local Innovators Are Building The National Economy](#), Copyright 2012.
- Houle, David, [The Shift Age](#), Copyright 2007.
- Chesbrough, Henry, [Open Business Models: How to Thrive in the New Innovation Landscape](#), Copyright 2006.
- Harvard Business School Case Study
- University of California Business School Case Study



**RELATED U.S.
SPEECHES AND
PUBLICATIONS**

“The Determination of a Reasonable Royalty: Hypothetical Negotiation v. A General License Agreement”, The Licensing Executives Society, Chicago Chapter, December 8, 1987.

“The Business Economics of Technology Development”, The Licensing Executives Society, New England Chapter, February 9, 1988.

“The Importance of Protecting Intellectual Property Through Corporate Transition”, Licensing Executives Society, National Meeting, October 18, 1989, Moderator.

“Valuation of Intellectual Property Rights”, The Chicago Bar Association, March 6, 1990.

“Dispute Resolution -- There Are Alternatives!”, Licensing Executives Society, National Meeting, October 22, 1990.

“How to Value a License”, Adding to the Bottomline Through Licensing, LES / John Marshall Law School, November 1, 1990.

“An Advanced Discussion on Licensing and Patent Damages”, Licensing Executives Society, National Meeting, October 28, 1992.

“An Advanced Discussion on Patent Damages”, Licensing Executives Society, National Meeting, October 18, 1993.

Royalty Provisions in Technology License Agreements, Technology Transfers, American Conference Institute, November 15 & 16, 1993.

“Commercializing Technology and the Intellectual Property Quality Management Imperative”, Technology Transfer, American Conference Institute, June 20 & 21, 1994.

“How to Accurately Value Software”, The Software Protection and Litigation Institute, July 28 & 29, 1994.

“IP Damages Advanced Case Studies”, Licensing Executives Society, National Meeting, October 19, 1994.

“Preparation and Presentation of Damages by Outside Consultants”, AIPLA Mid-Winter Meeting, February 1, 1995

“Damages Discovery - An Expert's Perspective”, Intellectual Property Law Association, New York, December 15, 1995.

“Pre-Litigation Damages Techniques: Patents and More”, The Intellectual Property Strategist, March, 1996.



“Corporate Exposures to Copyright, Patent, Trademark, and Trade Secret Claims”, Digital Bullets - Digital Shields: A Financial Perspective, American Conference Institute, New York, March 5, 1996.

“IP Management and Taxation - How companies are proactively managing IP assets to maximize shareholder value, including measuring contribution of IP protection to corporate value”, American Bar Association, Virginia, April 11, 1996.

“Effectively Select & Use Experts in Trademark & Copyright Cases”, AIPLA Spring Meeting, Boston, May 1, 1996.

“The Industry-University Interface: Mechanisms For Technology Transfer”, 1996 AUTM Central Region / Licensing Executives Society Chicago Chapter, Chicago, July 21, 1996.

“Valuing Health Care Technologies”, Licensing Executives Society Winter Meeting, South Carolina, March 13, 1997.

“Creative Marketing & Packaging - How to Differentiate Yourself in a Competitive Market”, CTIA Annual Meeting, Atlanta, February 23, 1998.

“Intellectual Property Valuation: The Latest Techniques from Boardroom and Courtroom”, Patent Law Association of South Florida Annual Meeting, Fort Lauderdale, October 22, 1998.

“The Aftermath of *Rite-Hite v. Kelly*”, 16th Judicial Conference of the U.S. Court of Appeals for the Federal Circuit, Washington D.C., April 6, 1999.

“Expert Admissibility After Daubert”, Wisconsin Academy of Trial Lawyers, Milwaukee, December 3, 1999.

“Intellectual Property Strategic Planning: a Corporate Perspective”, Research Directors Association of Chicago, Winter Meeting, January 10, 2000.

“Intellectual Property Asset Management: Linking IP and Corporate Strategy”, 44th Annual Conference on Developments in Intellectual Property Law, John Marshall Law School, Chicago, February 25, 2000.

“Boost Your Client’s Intellectual Capital IQ: Get Top Management Involved”, Corporate Legal Times, October 2000, p. 104.

“Strategic and Financial Opportunities for Privately Held and Public Middle Market Companies: Building Shareholder Value”, The Standard Club, Chicago, October 5, 2000.

“Commercializing Intellectual Capital Through Venture Funding”, LESI Expanded Board of Directors Meeting and Seminar, Delray Beach, Florida, January 26, 2001; LES Chicago Meeting, May 10, 2001.



“New Paths to Growth: Joint Ventures and Accessing Equity Capital”, Panel Presentation and Discussion, LaSalle Street Project Economic Summit, Chicago, May 10, 2001.

ViewPoints, The Newsletter of the Licensing Executives Society (U.S.A. and Canada), Inc., President’s Column: Vol. VIII No. 5, Nov. / Dec. 2001, “President Changes the Way LES Does Business”; Vol. VIV No. 1, Jan. / Feb. 2002, “It’s Time To Count Our Intellectual Assets”; Vol. VIV No. 2; Vol. VIV No. 3, May / June 2002, “Mid-Year Review”; Vol. VIV No. 4, July / August 2002, “Ethical Issues Related To Intellectual Property”.

“Venture Investment Grounded In Intellectual Capital”, From Ideas To Assets: Investing Wisely in Intellectual Property, Edited by Bruce Berman, John Wiley & Sons, Inc., 2002.

“Current Issues in Accounting for Intangibles”, Congressional Economic Leadership Institute, Panel Presentation and Discussion with Steven H. Wallman, Former Commissioner, United States Securities and Exchange Commission, Washington, DC, May 1, 2002.

“Intellectual Capital Based Corporate Carve-outs: Strategy, Structure and Funding”, James E. Malackowski and Suzanne Harrison, The LESI Guide to Licensing Best Practices, Edited by Robert Goldscheider, John Wiley & Sons, Inc., 2002.

“Intellectual Property Finance: Securitization to Venture Capital”, American Bar Association Intellectual Property Law Conference, Philadelphia, June 28, 2002.

“The IIPi Roundtable: The New Emphasis on Patent Value – Opportunities and Challenges”, Washington DC, July 22, 2002.

“Moving Technology from University to Marketplace: Business Creation and the Venture Capital Community, Licensing Executives Society Annual Conference, Chicago, September 24, 2002.

“Presidents’ Forum on Intellectual Property: A Leadership Discussion with The Licensing Executives Society, the American Intellectual Property Law Association, the Association of University Technology Managers, the Intellectual Property Owners Association, The National Inventors Hall of Fame, and BIO”, Licensing Executives Society Annual Conference, Chicago, September 24, 2002.

“Extracting Value From Your Intellectual Asset Portfolio: Ensuring ROI from IP and Technology Assets”, World Research Group, November 22, 2002, Chicago, Illinois.

“Licensing”, American Intellectual Property Law Association 2003 Mid-Winter Institute, Marco Island, Florida, January 22 – 25, 2003.

“Cashing in on Chicago: A Closer Look at Liquidity in the Heartland”, The Executives’ Club of Chicago, Panel Discussion, February 11, 2003.



Conference Chair and Speaker, “Optimizing Valuation & Value Realization of your IP/Intellectual Assets”, World Research Group, Las Vegas, February 27-28, 2003.

Live Webcast, “Turning Your Intellectual Property into Cash”, Ernst & Young Business Insights, April 28, 2003.

Intermediate PDS Workshop: Application of Private Equity and Leveraged Finance Investing to Intellectual Property, LES / AUTM Summer Meeting, Philadelphia, May 8, 2003.

World Research Group, Advanced Intellectual Property Structured Finance, Conference Co-Chair Person, New York City, June 29-30, 2003.

The Conference Board, The 2003 Conference on Intellectual Asset Management & Value Reporting, “Application of Private Equity and Leveraged Finance Investing to Intellectual Property”, Chicago, June 4, 2003.

Intellectual Property and Information Technology for Investment Funds, “Intellectual Capital Equity Management”, Panel Discussion Sponsored by Schulte Roth & Zabel, New York City, June 18, 2003.

Chicago Capital Access Forum III, “Private Investors: The Case for Domestic Emerging Market Investments”, Panel Discussion, Chicago, June 26, 2003.

Pension Consultants’ Forum, “Extracting Value from Private Equity Investing”, World Research Group, Chicago, July 22, 2003.

Midwest Intellectual Property Institute, “Intellectual Capital Equity Management”, Minneapolis, September 19, 2003.

“Intellectual Asset Strategies”, Add-On Seminar at the 2003 Licensing Executives Society Annual Meeting, San Diego, September 25, 2003.

“Leveraging Intellectual Property”, Keynote Speaker, Thomson Financial Thought Leadership Forum, New York, October 8, 2003.

“Beyond Licensing: Innovative Techniques for Extracting Value”, Advanced Forum on Licensing Intellectual Property, San Francisco, December 9, 2003.

Intellectual Asset Management, *Column: IP Merchant Banker*, Douglas R. Elliott & James E. Malackowski, Issue 01, “Challenges of the Fifth Epoch”, July / August 2003; Issue 02, “What the Market Fortells”, September / October 2003; Issue 03, “Economics, Ethos and Intellectual Ethics”, December / January 2004; Issue 04, “Patent Predictions – facts or fictions?”, February / March 2004; “Wealth management in the age of patents”, June / July 2004; “Patent pools – the 80% solution”, August / September 2004.

“Intellectual Capital Equity Management: IP as an Asset Class”, Minnesota State Bar Association Continuing Legal Education, Minneapolis, January 15-16, 2004.



“Understanding the Motivations Behind an IP Structured Finance Transaction”,
“Analyzing the Anatomy of A Patent-Based Structured Finance Transaction”,
World Research Group, New York, January 21-22, 2004.

“Managing Your Intellectual Property”, Investment Banking for Women /
Minority Owned Business Enterprises, Annual Forum, Conference Co-
Chairperson, Chicago, March 3-5, 2004.

“Private Equity: Investor Capital for Mature Businesses”, *DreamMakers* Forum
2004, Santa Barbara, California, March 7 – 10, 2004.

“IP Finance: Convergence of IP Valuation and Value Creation”, World
Research Group 2nd Annual Strategies and Solutions for Optimizing IP
Valuation & Value Creation, Chicago, March 23 – 24, 2004.

“Leveraging the Value of Intellectual Property”, Creating, Managing & Valuing
an Intellectual Property Portfolio, Vedder Price Conference Series, Chicago,
April 28, 2004.

“Federal Circuit Damages Decision Emphasizes the Importance of Sound
Economic Models”, IP Review, McDermott Will & Emery, with Robert M.
Hess, Spring 2004.

“Intellectual Property Merchant Banking: Leveraging Corporate Intangible
Assets”, The Licensing Executives Society (U.S.A. & Canada), Inc., Fairfield-
Westchester Counties Chapter, June 23, 2004.

“Intellectual Property Financing and Securitization: Conclusions and Future
Implications for Financing the IP Market”, New York, New York, July 21,
2004.

“Emerging Financial Concepts in IP Asset Management”, Mining Patent
Portfolios, Seattle, Washington, September 13, 2004.

“Intellectual Property Investment”, National Institutes of Health,
Commercialization Assistance Program, Larta Institute, Chicago, November 12,
2004.

“Using Intellectual Property to Grow”, The Beacon, Chicagoland
Entrepreneurial Center, Volume 3, Issue 4, December 10, 2004.

“Techniques for Assessing the Value of Your IP Portfolio”, The Wall Street
Transcript Intellectual Property Conference, New York, January 27, 2005.

“The Tipping Point: Assessing Major Challenges and Growth Opportunities in
IP Finance”, Moderator, The 3rd Annual Advancing IP Structured Finance
World Research Group Conference”, New York, February 3, 2005.

“Commerce One IP Auction”, Optimizing IP Valuation and Value Creation,
World Research Group Conference, Miami, March 30-31, 2005.



“Intellectual Capital Equity Management: IP As An Asset Class”, Minnesota Continuing Legal Education Conference, Minneapolis, May 12, 2005.

“Techniques for Evaluating IP Potential”, Life for After Rembrandts, Law Seminars International, Chicago, Illinois, August 4, 2005.

Keynote Address, 2nd Annual Intellectual Property Financing and Securitization Summit, New York, September 26, 2005.

“The Power of Intellectual Property in Private Equity Deals”, Association for Corporate Growth and The Licensing Executives Society Connecticut Chapters, Greenwich, Connecticut, October 6, 2005.

“Maximizing the Value of Distressed Debt Backed by Intellectual Property”, Financial Research Associates Distressed Debt Summit 2005, New York, October 7, 2005.

“To Sell or Not to Sell”, Licensing in the Boardroom 2005, a supplement to *Intellectual Asset Management* magazine, 2005.

Patent Auctions & Marketplaces: Leveraging Value from Under-employed Technologies, IP Master Class Presentation, Washington DC, January 10, 2006.

“Risky Business: Overlooking Patents as Financial Assets”, Making Innovation Pay, Edited by Bruce Berman, Published by John Wiley & Sons, Inc., 2006.

“The State of Development & Current Trends in IP Structured Finance” and “The Tipping Point: Assessing Major Challenges, Growth Opportunities and Future Trends in IP Finance”, Moderator, The 4th Annual Summit on IP Structured Finance, New York, March 22-23, 2006.

“Generating Revenue From Your Inventions”, IIR 2nd Annual Summit on IP Rights for Financial Services, New York, April 25-26, 2006.

“A Behind the Scenes Look at the Patent Bazaar: How Companies and Industry Are Buying and Selling Patents”, Innovators in IP Litigation, IP Law & Business, San Jose, California, May 17, 2006.

“Patent Markets and Their Impact to R&D Strategy”, Industrial Research Institute Annual Meeting, May 21-24, 2006, Colorado.

USC Gould School of Law 2006 Intellectual Property Institute; Featured Speaker, “A Final Word”; Panelist, “Patent Trolls: The Good, the Bad and the Ugly”; May 23, 2006, Los Angeles.

“Patent Auctions: Past, Present & Future”, The 50th Annual Conference on Developments in Intellectual Property Law, John Marshall Law School Center for Intellectual Property Law, May 25-26, 2006, Chicago. Speech published as “The Intellectual Property Marketplace: Past, Present and Future”, 5 J. Marshall Rev. of Intell. Prop. L. 605, (2006)



“Patent Auctions: Risky Endeavor or Legitimate Market Opportunity?”,
Strafford Legal Teleconference Presentations, June 8, 2006.

The Intellectual Property Investment Summit: Connecting Investors with
Strategic Intellectual Property Opportunities, Presented by the Center for
Applied Innovation, Summit Co-Chairperson, June 15, 2006, Chicago.

Innovative Structures for Acquiring Intellectual Property: The Benefits,
Challenges and Process, LSI Law Seminars International, Program Co-Chair,
July 17, 2006, Chicago.

“Licensing and Intellectual Property”, Chicago Regional Independent Inventor’s
Conference, Presented by the United States Patent and Trademark Office,
Northwestern University School of Law, and the National Inventors Hall of
Fame Foundation, July 28-29, 2006, Chicago.

“Reinventing the IP Marketplace – The Exclusive Ocean Tomo Patent Auction
Case Study”, IP Licensing Summit: Practical Strategies to Maximize Revenue in
Today’s Challenging Intellectual Property Marketplace, August 21-23, 2006,
New York.

“Unlocking the Value of Intellectual Property Rights”, Conference of the
International Bar Association, September 20, 2006, Chicago.

“This Too Shall Pass”, Americas IP Focus 2006, Managing Intellectual Property
Rights, Copyright, Euromoney Institutional Investor, PLC, 2006.

“Developing Markets for Intellectual Assets and Technology”, 21st Annual
Intellectual Assets and Technology Law Institute, October 5 & 6, 2006, Irving,
Texas.

“Patent Damages” and “Patent Reform Efforts: An Update and Review”, The
Sedona Conference Patent Litigation VII, October 12-13, 2006, Sedona,
Arizona.

“Patent Auctions”, 44th Annual Intellectual Property Law Conference, The
Center for American and International Law, November 9-10, 2006, Plano,
Texas.

“The Future of Developing IP Markets”, 3rd Annual Monetization of Intellectual
Property & Intangible Assets, Strategic Research Institute, November 16-17,
2006, Boston.

“The IP Transactional Landscape”, Economics of IP Based Transactions,
National Knowledge & Intellectual Property Management Taskforce Series
Program, November 29-30, 2006, Washington, D.C.

Keynote Presentation, The Business of Intellectual Property Conference, Tech
Council of Maryland, Rockville, Maryland, January 10, 2007.

Luncheon Speaker, Corporate Intellectual Property Roundtable, Georgia State
University College of Law, Atlanta, January 24, 2007.



“Patent Markets”, American Intellectual Property Law Association, 2007 Mid-Winter Institute, New Orleans, January 24-27, 2007.

“Assessing the Real Value of Your IP Portfolio” and “Growing IP Impact on Public and Semi-Public Markets”, The 5th Annual Summit on Monetizing, Financing & Securitizing IP, New York, January 30-31, 2007.

“Ocean’s 300”, Moderator, World Intellectual Property Review 2007, pp. 16-20.

“The Intellectual Property Marketplace: Emerging Transaction and Investment Vehicles”, Co-author with Cardoza, Gray and Conroy, *The Licensing Journal*, Aspen Publishers, Vol. 27, No. 2, pages 1 - 11, February 2007.

“The Importance of Emerging Intellectual Property Market Opportunities to the City of Chicago”, Keynote Speaker, Notre Dame Club of Chicago Meeting, Chicago, March 8, 2007.

“The Intellectual Property Marketplace”, Harvard Business School Club of New York, New York, April 12, 2007.

Keynote Address, BRICs & Mortar: Technological Drivers in Booming Economies of Brazil, Russia, India and China, Northwestern University Journal of Technology & Intellectual Property Second Annual Symposium, Chicago, April 13, 2007.

“Innovation Measurement: The Economic Impact of Patent Value”, Co-author with Barney, Cardoza, Walker and Gray, Submission to United States Department of Commerce Economics and Statistics Administration, Pursuant to Notice in the Federal Register, Vol. 72, No. 71, 18627, May 11, 2007.

“Objective Patent Valuation”, Business Meeting, Association of Corporate Patent Counsel, Newport, Rhode Island, June 27, 2007.

“Intellectual Property Exchange Chicago”, a two day symposium presented by The National Knowledge & Intellectual Property Management Taskforce and The Center for Applied Innovation, Moderator and Speaker, July 17 – 18, 2007, Chicago.

“Start-up Stories: Tales from the Front Line”, TiE Midwest, August 1, 2007, Chicago.

Keynote Address, Notre Dame Financial Executives Alumni Conference, September 21, 2007, South Bend, Indiana.

“The Birth of an IP Marketplace”, Missouri Bar Association Seminar, November 2, 2007, St. Louis, Missouri.

“Market Forces and IP”, The Giles S. Rich American Inn of Court, Howard University, January 17, 2008.



“Market for Technology: Challenges and Opportunities”, Panel Discussion on Impediments to Technology Markets, Duke University’s Fuqua School of Business, February 20, 2008.

“IP Markets – An Intangible Walk Down Wall Street”, Keynote Address, Securities Industry and Financial Markets Association, March 11, 2008, New York.

“Patent Valuation, Is there One or Many?”, Mini-Plenary Session of the High Tech Sector, The Licensing Executives Society International Annual Meeting, May 7, 2008, Chicago.

“What is Patent Quality – A Merchant Banc’s Perspective”, with Jonathan A. Barney, *les Nouvelles*, June 2008, p. 123 – 134.

“Intangibles in the Firm and Financial Markets”, *Intangible Assets: Measuring and Enhancing Their Contribution to Corporate Value and Economic Growth*, The National Academies, Washington DC, June 23, 2008.

“Developing IP Markets: Opportunity for the Financial Services Industry”, Keynote Address, The 5th Annual Patents & The Financial Services Industry Symposium, New York, July 29, 2008.

“New Trends in Monetizing IP Rights: Trolls, Licensing and Securitization”, *Managing Intellectual Property* Webinar, September 3, 2008.

“Magnificent Mile – Shopping for the Ideal IP Expert”, DRI Intellectual Property Litigation Seminar, September 4-5, 2008, Chicago.

From Assets to Profits: Competing for IP Value and Return, Contributing Author, Edited by Bruce Berman, John Wiley & Sons, November 2008.

Ocean Tomo: The New Kid on the (Auction) Block is All Grown Up, Institute for Law and Technology, 46th Annual Conference on Intellectual Property Law, November 10 – 11, 2008, Plano, Texas.

Federal Trade Commission: The Evolving Intellectual Property Marketplace, Keynote Address, Public Hearings, April 17, 2009, Washington, DC.

“Protecting and Commercializing New Ideas”, CoreNet Global Chicago Chapter Meeting, Chicago, May 13, 2009.

“The Future of the IP Marketplace”, Moderator and Plenary Speaker, IP Markets 2009, Chicago, July 23, 2009.

“Staying Ahead of the Curve – Strategic Intelligence, Value Assessments and Monetization in a Highly Competitive Economy”, The 6th Annual Patents & The Financial Services Industry Conference, New York City, July 28-29, 2009.

“Helping Companies in a Down Economy: Strategic Planning for Identifying and Valuing Your IP”, American Bar Association Annual Meeting, Chicago, July 31, 2009.



“Managing IP During Uncertain Times”, NanoBusiness Alliance Conference, Chicago, September 8, 2010.

National Economic Framework for Intellectual Property Based Commerce, A Research Report by the National Knowledge & Intellectual Property Management Taskforce, Net Worth Press, 2009.

“The Role of IP in Tough Economic Times and How to Use it to Your Advantage: Corporate Recovery and Restructuring”, Licensing Executives Society Annual Meeting, San Francisco, October 19, 2009.

“Global IP Market Development”, 11th Annual Utah IP Summit, Salt Lake City, February 13, 2010.

“Law, Economics, Business and Policy Implications for Innovation and Competition of Diverse Business Models for Using Patents”, Stanford University Hoover Institution Annual Conference, Stanford, California, June 25, 2010.

“Establishing an Objective Value of IP”, IPO Annual Meeting, Atlanta, September 14, 2010.

“Intellectual Property and the Marketplace: Hot Topics Impacting the Role of Patents, Trademarks and Copyrights in Today’s Business World”, Vedder Price Illinois Continuing Legal Education Forum, Chicago, October 6, 2010.

“IP Essentials for the Chief Executive Officer”, Illinois Technology Association, Chairman’s Dinner Keynote Speaker, Chicago, October 20, 2010.

“Valuation of IP in Emerging Market Platforms”, 2010 IP Damages Institute, CalCPA Education Foundation, Los Angeles, November 8, 2010.

“Shifting Sands: What is Discoverable and Admissible for Damages, Willfulness and Other Purposes”, Intellectual Property Owners Association CLE Roundtable, Washington, DC, March 21, 2011.

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In Re Apple iPhone Antitrust Litigation
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In Re Gabapentin Patent Litigation
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On behalf of Defendants Teva Pharmaceutical Industries Ltd. and IVAX
Corporation and related parties
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In Re Nortel Networks Inc. et al. and
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Investigation No. 337-TA-1145
On behalf of Allergan plc, Allergan, Inc. and Medytox Inc.
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In the Matter of Certain Electronic Devices with Graphics Data Processing
Systems, Components Thereof, and Associated Software
Investigation No. 337-TA-813
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In the Matter of Certain Pre-Filled Syringes for Intravitreal Injection and
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In the Matter of Certain Robotic Floor Cleaning Devices and Components
Thereof

Investigation No. 337-TA-1252

United States International Trade Commission

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In the Matter of Certain Semiconductor Chips with Minimized Chip Package
Size and Products Containing Same (III)

Investigation No. 337-TA-630

On behalf of Respondents Acer, Nanya and Powerchip

United States International Trade Commission

Hearing and Deposition Testimony

In the Matter of Certain Short-Wavelength Light Emitting Diodes, Laser Diodes,
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Investigation No. 337-TA-640

On behalf of Respondent Panasonic

United States International Trade Commission

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In the Matter of Certain Wearable Activity Tracking Devices, Systems and
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Investigation No. 337-TA-973

On Behalf of Complainant Fitbit, Inc.

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On behalf of Respondents

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Civil Action 02-477

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InterDigital Technology Corporation v. Motorola, Inc.
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International Business Machines Corporation v. Groupon, Inc.
C.A. No. 16-122-LPS-CJB
United States District Court for the District of Delaware
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Invensas Corporation v. Renesas Electronics Corporation and Renesas
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Jaguar Land Rover Limited v. Bentley Motors Limited and Bentley Motors, Inc.
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Message Phone, Inc. v. SVI Systems, Inc. and Tharaldson Properties



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MGA Entertainment, Inc. and Isaac Larian v. Hartford Insurance Company of the Midwest, Hartford Fire Insurance Company, The Hartford Financial Services Group and Does 1 through 10.
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Military Professional Services, Inc. v. BancOhio National Bank
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Milwaukee Electric Tool Corporation, Metco Battery Technologies, LLC AC (Macao Commercial Offshore) Limited and Techtronic Industries Co. Ltd. v. Snap-On Incorporated
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Money Suite Company v. Insurance Answer Center, LLC; Answer Financial, Inc.; AllState Insurance Company; Esurance Insurance Services, Inc.
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Peter Daou and James Boyce v. Arianna Huffington, Kenneth Lerer and
TheHuffingtonPost.com, Inc.
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Powertech Technology, Inc. v. Tessera, Inc.
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Praxair, Inc. and Praxair Technology, Inc. v. ATMI, Inc. and Advanced
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Prism Technologies, LLC v. AT&T Mobility, LLC
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Prism Technologies, LLC v. T-Mobile USA, Inc.
Civil Action No. 8:12-cv-00124
United States District Court of Nebraska
Trial and Deposition Testimony

Prism Technologies, LLC v. Sprint Spectrum L.P. d/b/a/ Sprint PCS
Civil Action No. 8:12-cv-123-LES-TDT
United States District Court of Nebraska
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The Procter & Gamble Company v. Paragon Trade Brands, Inc.
Civil Action No. 94-16-LON
United States District Court for the District of Delaware
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Purecircle USA Inc. and Purecircle SDN BHD v. Sweegen, Inc. and Phyto Tech
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United States District Court for Central District of California Southern Division
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Civil Action No 03-6284 JFW (FMOx)
United States District Court for the Central District of California
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Qualcomm, Inc. v. InterDigital Communications Corporation
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Robert E. Morley, Jr. and REM Holdings 3, LLC v. Square, Inc., Jack Dorsey
and James McKelvey, Jr.
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Roche Diabetes Care, Inc. v. Insulet Corporation
Case No. 1:20-cv-00825
United States District Court for the District of Delaware
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Rommy Hunt Revson v. The Limited, Inc. et al.
Civil Action No. 90-3840 (MGC)
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Ronald A. Katz Technology Licensing, LP v. Ameren Corporation; Union
Electric Company; Central Illinois Public Service Company; Cilcorp, Inc.;
Central Illinois Light Company
Case No. 07-4955 RGK (FFMx)
United States District Court for the Central District of California
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Ronald A. Katz Technology Licensing, LP v. AOL, LLC, CompuServe
Interactive Services and Netscape Communications Corporation



CV 07-2134 RGK (FFMx)
United States District Court for the Central District of California
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Ronald A. Katz Technology Licensing, LP v. Cablevision Systems Corporation
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Case No. 2:07-ML-01816 / 02314 RGK-FFM
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Ronald A. Katz Technology Licensing, LP v. Charter Communications, Inc.;
Charter Communications Holding Company, LLC; Charter Communications
Operating, LLC; and Charter Communications Entertainment I, LLC
CV 07-2134 RGK (FFMx)
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Health Corporation, CIGNA HealthCare of Delaware, Inc., Tel-Drug of
Pennsylvania, LLC and Tel-Drug, Inc.
CV 07-2192 RGK (FFMx)
United States District Court for the Central District of California
Deposition Testimony

Ronald A. Katz Technology Licensing, LP v. Comcast Corporation, Sirius-XM
Radio, Inc., et al.
NO. 2:07-ML-01816-C RGK (FFMx)
United States District Court for the Central District of California
Deposition Testimony

Ronald A. Katz Technology Licensing, LP v. DHL Holdings (USA) Inc., DHL
Express (USA), Inc., and Sky Courier, Inc.
Case No. 07-ml-01816-B RGK (FFMx)
United States District Court for the Central District of California
Deposition Testimony

Ronald A. Katz Technology Licensing, LP v. Fifth Third Bankcorp, Fifth Third
Bank, Fifth Third Bank (Central Ohio)
Case No. 07-4960 RGK (FFMx)
United States District Court for the Central District of California
Deposition Testimony

Ronald A. Katz Technology Licensing, LP v. Time Warner Cable Inc., Time
Warner NY Cable LLC and Time Warner Entertainment Company, L.P.
CV 07-2134 RGK (FFMx)
United States District Court for the Central District of California
Deposition Testimony

Ronald A. Katz Technology Licensing, LP v. United States Cellular
Corporation, TDS Telecommunications Corporation and TDS Metrocom, LLC
Case No.07-ML-01816-B-RGK (FFMX)
United States District Court for the Central District of California



Deposition Testimony

Rosetta Stone Ltd. v. Google Inc.
Civil Action No. 1:09 CV 736 GBL / JFA
United States District Court for the Eastern District of Virginia
Deposition Testimony

RWM Kinetic Enterprises, Inc. and Thomas J. Ring v. Kinetic Concepts, Inc.
and KCI Therapeutic Services, Inc.
Case No. SA-96-CA-603-OG
United States District Court for the Western District of Texas San Antonio
Division
Trial Testimony

Sanofi-Aventis U.S. LLC and Regeneron Pharmaceuticals, Inc. v. Genentech,
Inc. and City of Hope
Case No. 2:15-CV-05685
United States District Court for the Central District of California Western
Division
Deposition Testimony

Sanyo Electric Co., Ltd. v. Intel Corporation
Civil Action No. 2018-0723-MTZ
Court of Chancery of the State of Delaware
Deposition Testimony

Saxon Innovations, LLC v. Nokia Corp, et al. (including Samsung Electronics,
Co. and related parties)
Civil Action No. 6:07-cv-490-LED-JDL
United States District Court for the Eastern District of Texas Tyler Division
Deposition Testimony

SecurityPoint Holdings, Inc. v. The United States
Case No. 1:11-cv-00268-EGB
In the United States Federal Court of Claims
Deposition and Trial Testimony

Semiconductor Energy Laboratory Co., Ltd. v. Samsung Electronics Co., Ltd.,
S-LCD Corporation, Samsung Electronics America, Inc. Samsung
Telecommunications America, LLC
Civil Action No. 3:09-cv-00001
United States District Court for the Western District of Wisconsin
Deposition Testimony

Selex Galileo, Inc. v. Nomir Medical Technologies, Inc.
Case No. 01-17-0003-0930
American Arbitration Association
Hearing Testimony

Seven Networks, LLC v. Apple Inc.
Civil Action No. 2:19-cv-115-JRG
United States District Court for the Western District of Texas Marshall Division



Deposition Testimony

Shuffle Tech International, LLC and Aces Up Gaming, Inc. and Poydras-Talrick Holdings, LLC v. Scientific Games Corporation and Bally Technologies, Inc. (d/b/a SHFL Entertainment or Shuffle Master) and Bally Gaming, Inc.
Civil Action No. 1:15-cv-3702
United States District Court for the Northern District of Illinois Eastern Division
Trial and Deposition Testimony

Silicon Image, Inc. v. Analogix Semiconductor, Inc.
Case No. C 07-00635 JCS
United States District Court for the Northern District of California, San Francisco Division
Deposition Testimony

Site Microsurgical Systems v. The Cooper Companies
Civil Action S92-766
Deposition Testimony

Slot Speaker Technologies, Inc. v. Apple Inc.
Case No. 4:13-cv-01161-HSG
United States District Court Northern District of California Oakland Division
Deposition Testimony

SmartPhone Technologies, LLC v. Research In Motion Corp. et. al (on behalf LG Electronics, Inc. and LG Electronics USA, Inc.)
Civil Action No. 6:10cv74-LED
United States District Court Eastern District of Texas Tyler Division
Deposition Testimony

St. Clair Intellectual Property Consultants v. Fuji Photo Film Co., Ltd., Fuji Photo Film U.S.A., Inc., Fujifilm America, Inc., et al.
Civil Action No. 03-241 JJF
United States District Court for the District of Delaware
Trial and Deposition Testimony

Steven E. Berkheimer v. Hewlett-Packard Company
Case No. 1:12-cv-09023
United States District Court for the Northern District of Illinois Eastern Division
Deposition Testimony

STMicroelectronics, Inc. v. SanDisk Corp.
C.A. No. 4:05CV44
United States District Court of Texas Sherman Division
Deposition Testimony

STMicroelectronics, Inc. v. SanDisk Corp.
C.A. No. 4:05CV45
United States District Court of Texas Sherman Division
Deposition Testimony



Sunoco Partners Marketing & Terminals L.P. v. U.S. Venture, Inc., U.S. Oil, and Technics, Inc.
Civil Action No. 4:19-cv-01145
United States District Court for the Southern District of Texas Houston Division
Trial and Deposition Testimony

Sunoco Partners Marketing & Terminals L.P. v. U.S. Venture, Inc., U.S. Oil, and Technics, Inc.
Civil Action No. 1:15-CV-8178
United States District Court for the Northern District of Illinois Eastern Division
Deposition Testimony

Synopsys, Inc. v. Ubiquiti Networks, Inc. et al.
Civil Action No. 3:17-cv-00561-WHO
United States District Court for the Northern District of California
Deposition Testimony

Takata Corp. v. Allied Signal, Inc. and Breed Technologies, Inc.
Civil Action CV-95-1750
Deposition Testimony

Technol Medical Products, Inc., et al v. Robert Busse & Co., Inc.
Civil Action No. 3:94-CV-2284-X
Deposition Testimony

Tekmira Pharmaceuticals Corporation and Protiva Pharmaceuticals, Inc. v. Alnylam Pharmaceuticals, Inc. and AlCana Technologies, Inc.
Civil Action No. 11-1010-BLS2
Massachusetts Superior Court for Suffolk County
Deposition Testimony

Tessera, Inc. v. Advanced Micro Devices, Inc. et al.
Case No. 4:05-cv-04063-CW
United States District Court for Northern District of California Oakland Division
Deposition Testimony

Tessera, Inc. v. UTAC (Taiwan) Corporation
Case No.: 5:10-cv-04435-EJD
United States District Court for Northern District of California San Jose Division
Deposition Testimony

Therma-Tru Corporation v. Caradon Peachtree, Inc.
Civil Action No. 95-CV-75534-DT
Deposition Testimony

Toro Company v. MTD Products Inc., MTD Consumer Group Inc., and Cub Cadet LLC
Civil Action No 10-cv-007-JNE-TNL
United States District Court for the District of Minnesota
Deposition Testimony



Ultratec, Inc. and CapTel, Inc. v. Sorenson Communications, Inc. and CaptionCall, LLC

Case No.: 3:14-cv-66-BBC

United States District Court for the Western District of Wisconsin

Trial and Deposition Testimony

Unwired Planet, LLC v. Apple, Inc.

Case No. 3:13-cv-4134-VC

United States District Court for the Northern District of California San Francisco Division

Deposition Testimony

U.S.A. Dawgs, Inc. et al. v. Ronald Synder, et al.

Civil Action No. 16-cv-02004-PAB-KMT

United States District Court for the District of Colorado

Deposition Testimony

Valmet Paper Machinery, Inc. and Valmet-Charlotte, Inc. v. Beloit Corporation

Civil Action No. 93-C-587-C

United States District Court for the Western District of Wisconsin

Trial and Deposition Testimony

Verinata Health, Inc. and the Board of Trustees of the Leland Stanford Junior University v. Sequenom, Inc. and Sequenom Center for Molecular Medicine, LLC.

Case No. 3:12-cv-00865-SI

Deposition Testimony

Verinata Health, Inc. v. Ariosa Diagnostics, Inc.

Case No. 3:12-cv-055501-SI

United States District Court for the Northern District of California

Trial and Deposition Testimony

Viacom International Inc. v. MGA Entertainment, Inc.

Case No.: 2:15-cv-09621-R (Ex)

United States District Court for the Central District of California

Deposition Testimony

VimpelCom Ltd. v. Orascom TMT Investments S.a.r.l.

London Court of International Arbitration

Arbitration No: 153077

Hearing Testimony

Volterra Semiconductor Corporation v. Primarion, Inc., Infineon Technologies AG and Infineon Technologies North America Corporation

Case No. C 08-05129 CRB

United States District Court for the Northern District of California San Francisco Division

Deposition Testimony

Wang Laboratories, Inc. v. America Online, Inc. and Netscape Communications Corporation

Civil Action No. 97-1628-A



United States District Court for the Eastern District of Virginia
Deposition Testimony

Wang Laboratories, Inc. v. FileNet Corporation
Civil Action No. 94-12141-RCL
Deposition Testimony

Waukesha Cherry-Burrell v. Wrightech Corporation
Civil Action No. 96-CV-00384
Deposition Testimony

Waymo LLC v. Uber Technologies, Inc., Ottomotto LLC and Otto Trucking LLC
Case No. 3:17-cv-00939-WHA
United States District Court for the Northern District of California San
Francisco Division
Deposition Testimony

Whirlpool Corporation v. Drinker Biddle & Reath LLP et. al.
Case No. 2015-L-007631
Circuit Court of Cook County, Illinois
Trial and Deposition Testimony

Zenith Electronics LLC, Panasonic Corporation, U.S., Philips Corporation, and
the Trustees of Columbia University in the City of New York v. Sceptre, Inc.
Case No. 9:13-CV-80567
United States District Court for the Central District of California
Deposition Testimony

Zenith Electronics LLC v. Vizio, Inc.; Westinghouse Digital Electronics LLC, et al.
No. 5:06CV246-DF
United States District Court for the Eastern District of Texas
Texarkana Division
Deposition Testimony

ZiiLabs Inc., Ltd. v. Samsung Electronics Co. Ltd (and related Samsung parties)
and Apple Inc.
Case No. 2:14-cv-00203
United States District Court for the Eastern District of Texas Marshall Division
Deposition Testimony

In the Matter of Certain Robotic Floor Cleaning Devices and Components
Thereof
Case No. 337-TA-1252
On behalf of the Respondents SharkNinja Operating LLC, SharkNinja
Management LLC, SharkNinja Management Company, SharkNinja Sales
Company, SharkNinja Hong Kong Co. Ltd., and EP Midco LLC
United States International Trade Commission
Deposition Testimony



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Appendix B

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY
SUBJECT TO PROTECTIVE ORDER

Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation v. ROSS Intelligence, Inc.

DOCUMENTS CONSIDERED

Appendix B

Thomson Reuters and Westlaw Produced Documents

TR-0000568 - TR-0000581	TR-0037669 - TR-0037680	TR-0179887 - TR-0179890
TR-0000587 - TR-0000590	TR-0037703 - TR-0037706	TR-0179889
TR-0000695 - TR-0000696	TR-0037860 - TR-0037861	TR-0358927 - TR-0358948
TR-0001119 - TR-0001122	TR-0038909 - TR-0038922	TR-0358967 - TR-0358988
TR-0001142 - TR-0001165	TR-0039860 - TR-0039885	TR-0359181 - TR-0359186
TR-0001253	TR-0039933 - TR-0039942	TR-0359202 - TR-0359204
TR-0001733 - TR-0001735	TR-0040273 - TR-0040566	TR-0359401 - TR-0359443
TR-0001965 - TR-0001971	TR-0048605 - TR-0048606	TR-0359503 - TR-0359560
TR-0002635 - TR-0002636	TR-0048620	TR-0359564 - TR-0359954
TR-0002705 - TR-0002710	TR-0048725 - TR-0048732	TR-0359959 - TR-0360216
TR-0002723	TR-0049195 - TR-0049200	TR-0361194 - TR-0361207
TR-0002758 - TR-0002772	TR-0073545 - TR-0073546	TR-0433738 - TR-0433741
TR-0002775	TR-0091408 - TR-0091411	TR-0521595
TR-0002779 - TR-0002783	TR-0098206 - TR-0098209	TR-0532236 - TR-0532373
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ROSS-000061913 - ROSS-000061932	ROSS-000197791 - ROSS-000197794	ROSS-000204216 - ROSS-000204218
ROSS-000175054 - ROSS-000175067	ROSS-000197949 - ROSS-000197951	ROSS-000204366 - ROSS-000204367
ROSS-000176146 - ROSS-000176148	ROSS-000198151 - ROSS-000198152	ROSS-000235965 - ROSS-000235969
ROSS-000176758 - ROSS-000176780	ROSS-000201544	ROSS-000241438 - ROSS-000241439
ROSS-000176798 - ROSS-000176803	ROSS-000201630 - ROSS-000201632	ROSS-000247118 - ROSS-000247120

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ROSS-000204366 - ROSS-000204367	ROSS-003390233 - ROSS-003390236	ROSS-009659437
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ROSS-000241438 - ROSS-000241439	ROSS-003390586 - ROSS-003390587	ROSS-009660296
ROSS-000247118 - ROSS-000247120	ROSS-003390869 - ROSS-003390871	ROSS-009660815
ROSS-000251670 - ROSS-000251671	ROSS-003390881 - ROSS-003390884	ROSS-009660832 - ROSS-009660841
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ROSS-003390050 - ROSS-003390052	ROSS-009637399 - ROSS-009637400	ROSS-009721521 - ROSS-009721522
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ROSS-009724328	ROSS-010272041 - ROSS-010272046	ROSS-010321321 - ROSS-010321322
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ROSS-009724653	ROSS-010279547	ROSS-010321554
ROSS-009724983	ROSS-010279751	ROSS-010321557
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ROSS-009725605	ROSS-010300414 - ROSS-010300416	ROSS-010322513
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ROSS-009725864	ROSS-010316865 - ROSS-010316866	ROSS-010322870 - ROSS-010322872
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Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation v. ROSS Intelligence, Inc.

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ROSS-010364506 - ROSS-010364509
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LEGALEASE-00123981 - LEGALEASE-00123982
LEGALEASE-00132781 - LEGALEASE-00132782
LEGALEASE-00132970 - LEGALEASE-00132971
LEGALEASE-00139081 - LEGALEASE-00139082
LEGALEASE-00139169 - LEGALEASE-00139170

LEGALEASE-00166082 - LEGALEASE-00166083
LEGALEASE-00171823
LEGALEASE-00171828 - LEGALEASE-00171831
LEGALEASE-00043224 - LEGALEASE-00043225
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R-LEGALEASE-00029691 - R-LEGALEASE-00029693
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R-LEGALEASE-00048772 - R-LEGALEASE-00048776
R-LEGALEASE-00048928 - R-LEGALEASE-00048932
R-LEGALEASE-00049260
R-LEGALEASE-00049399

R-LEGALEASE-00049652 - R-LEGALEASE-00049664
R-LEGALEASE-00050673
R-LEGALEASE-00050718 - R-LEGALEASE-00050721
R-LEGALEASE-00067404
R-LEGALEASE-00067463 - R-LEGALEASE-00067465
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FASTCASE_090429
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FASTCASE_098063 - FASTCASE_098067

Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation v. ROSS Intelligence, Inc.

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Depositions

Deposition of Khalid Al-Kofahi, April 8, 2022
Deposition of Andrew Arruda, March 30, 2022 with exhibits
30(b)(6) Deposition of Tariq Hafeez, May 26, 2022 with exhibits
Deposition of Mark Hoffman, March 16, 2022 with exhibits
30(b)(6) Deposition of Erik Lindberg, March 22, 2022 with exhibits
30(b)(6) Deposition of Andrew Martens, March 25, 2022 with exhibits
30(b)(6) Deposition of Isabelle Moulinier, July 1, 2022 with exhibits
30(b)(6) Deposition of Jimoh Ovbiagele, April 12, 2022 with exhibits
30(b)(6) Deposition of Sean Shafik, April 22, 2022 with exhibits
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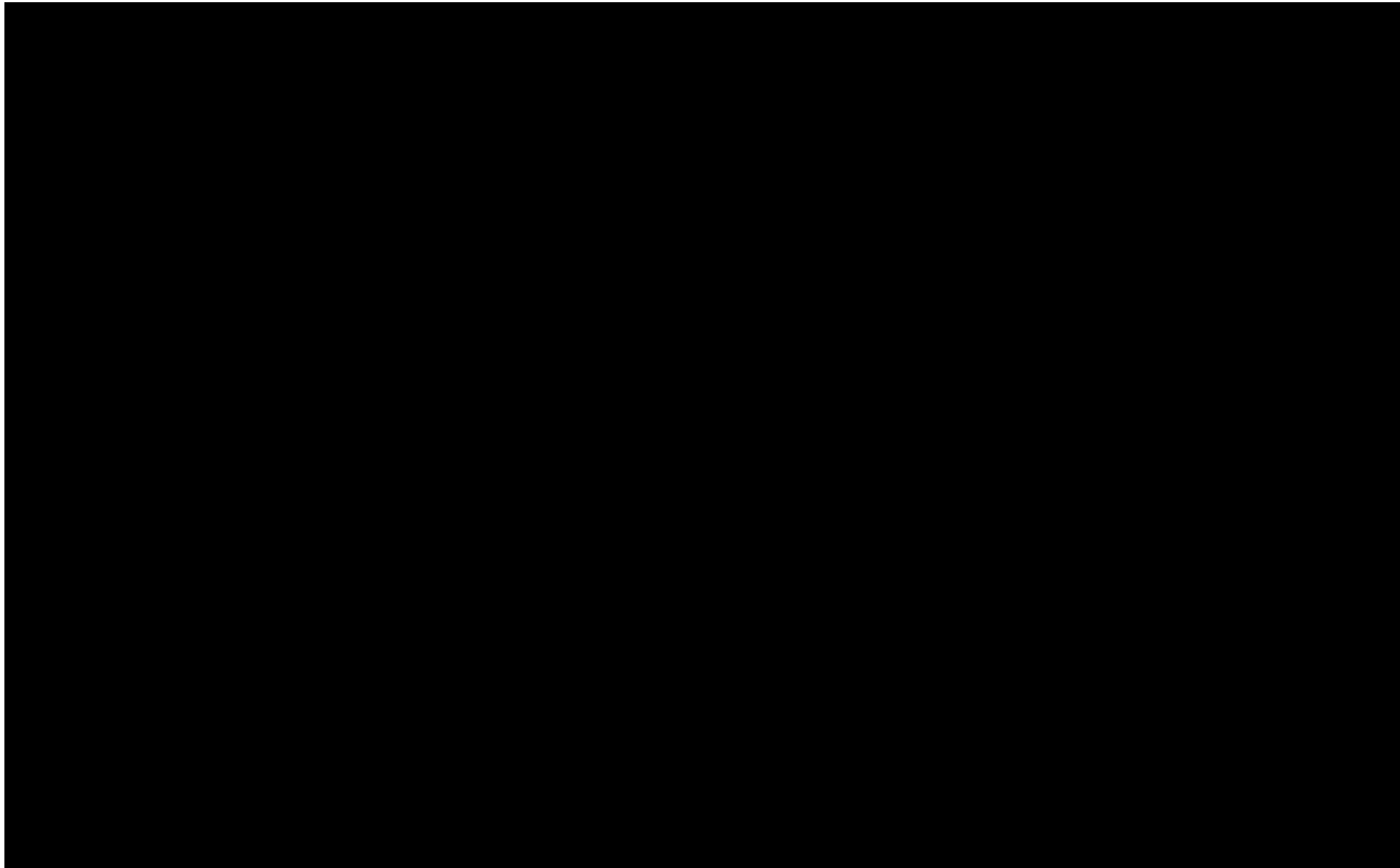
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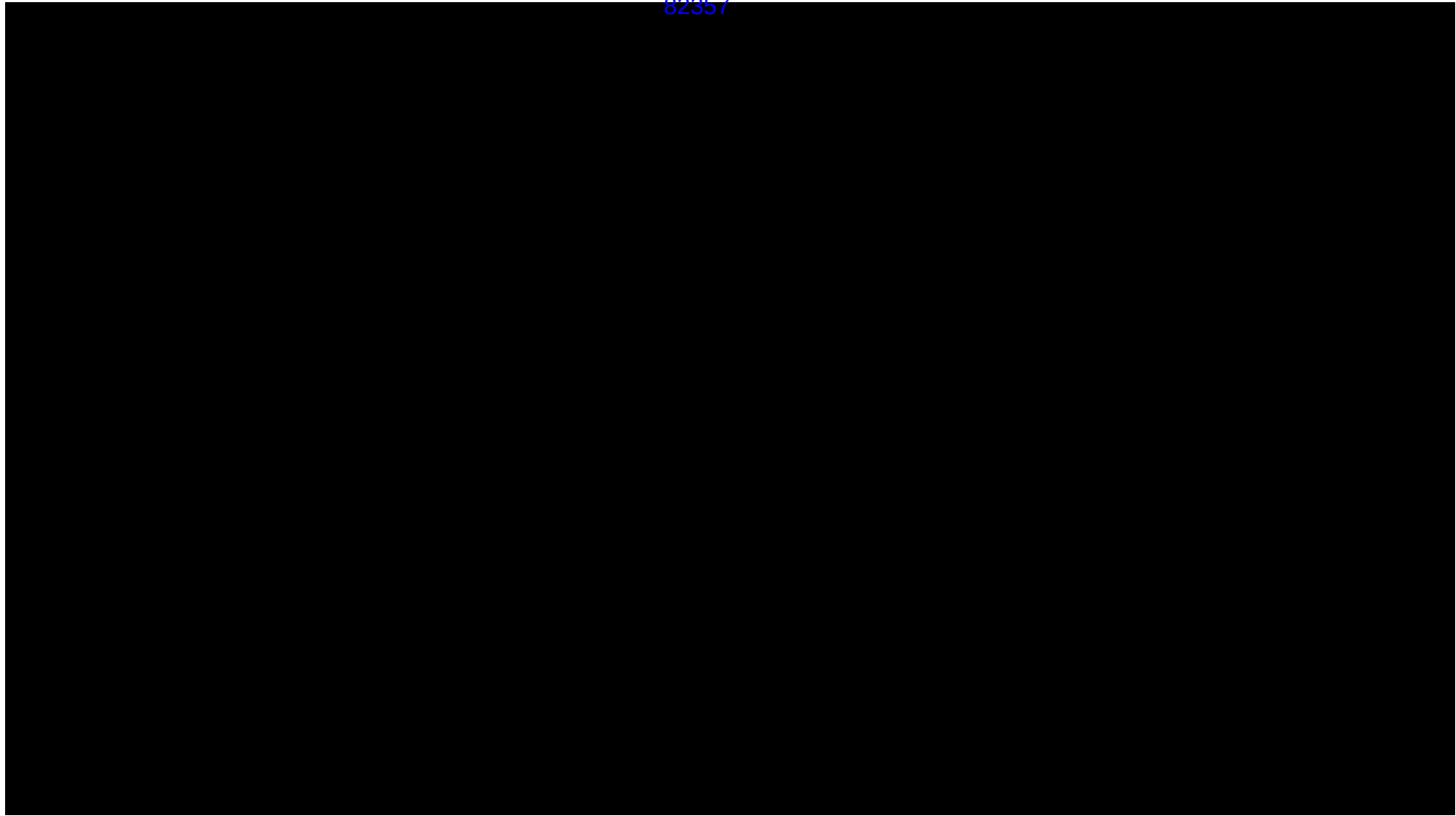
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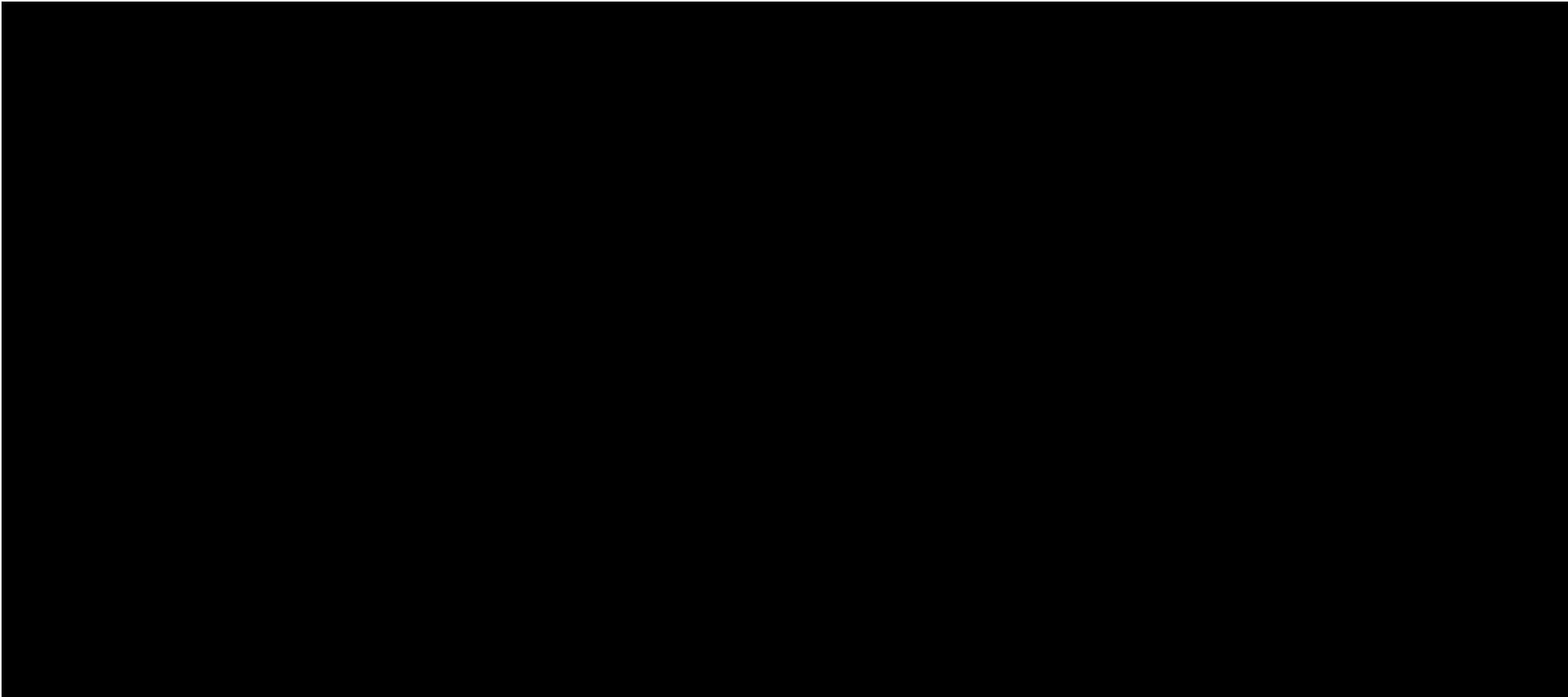
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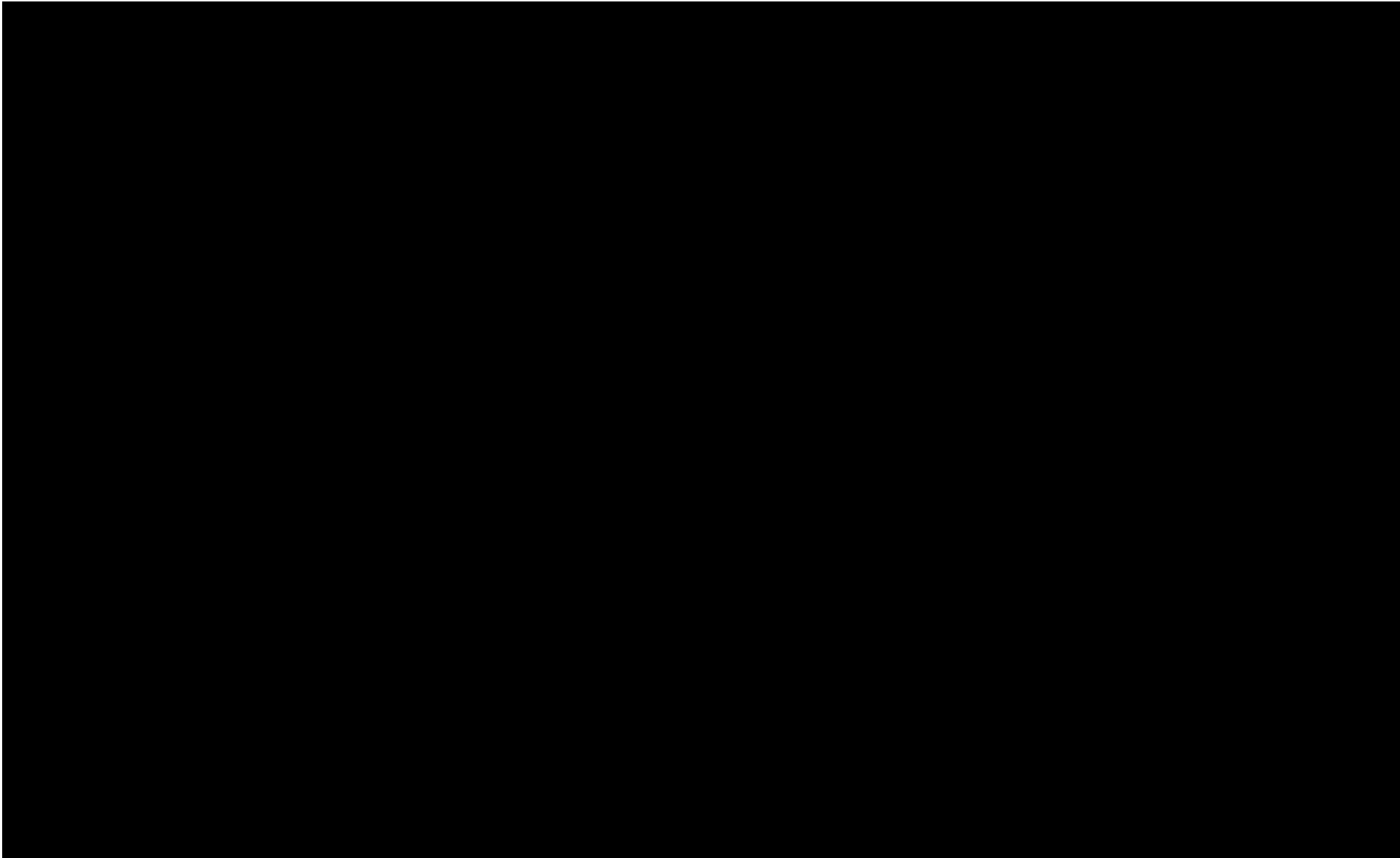
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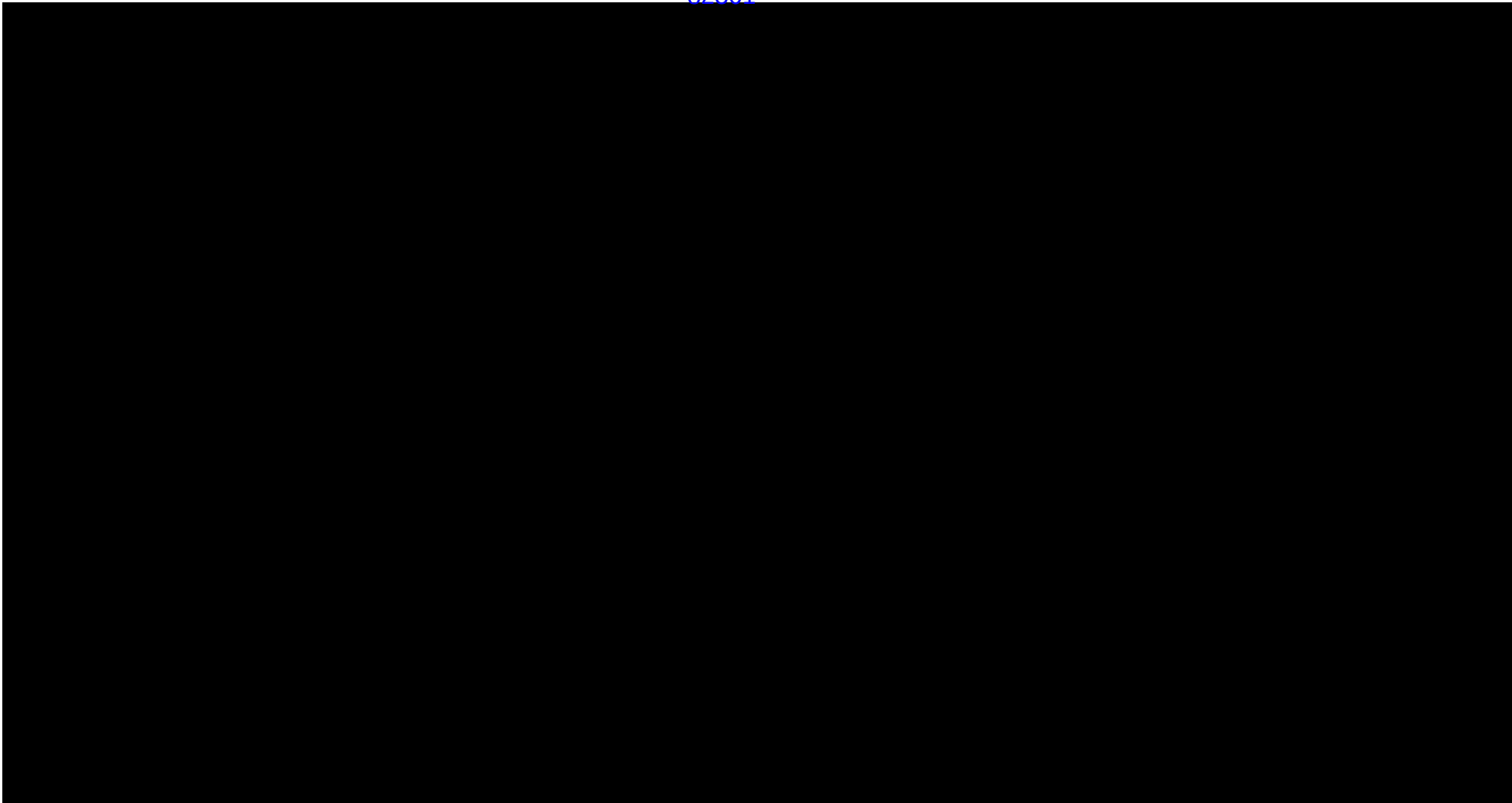
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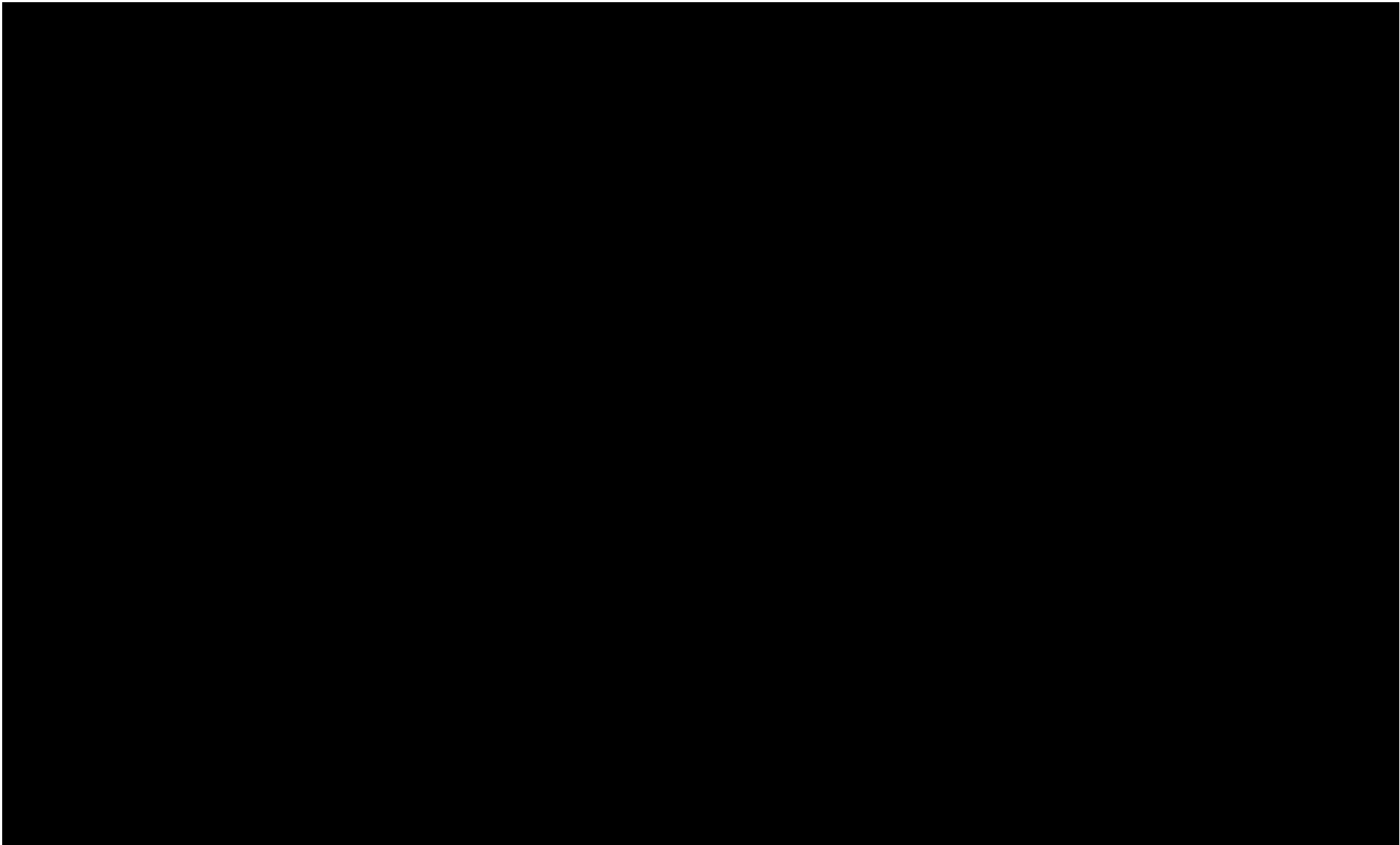
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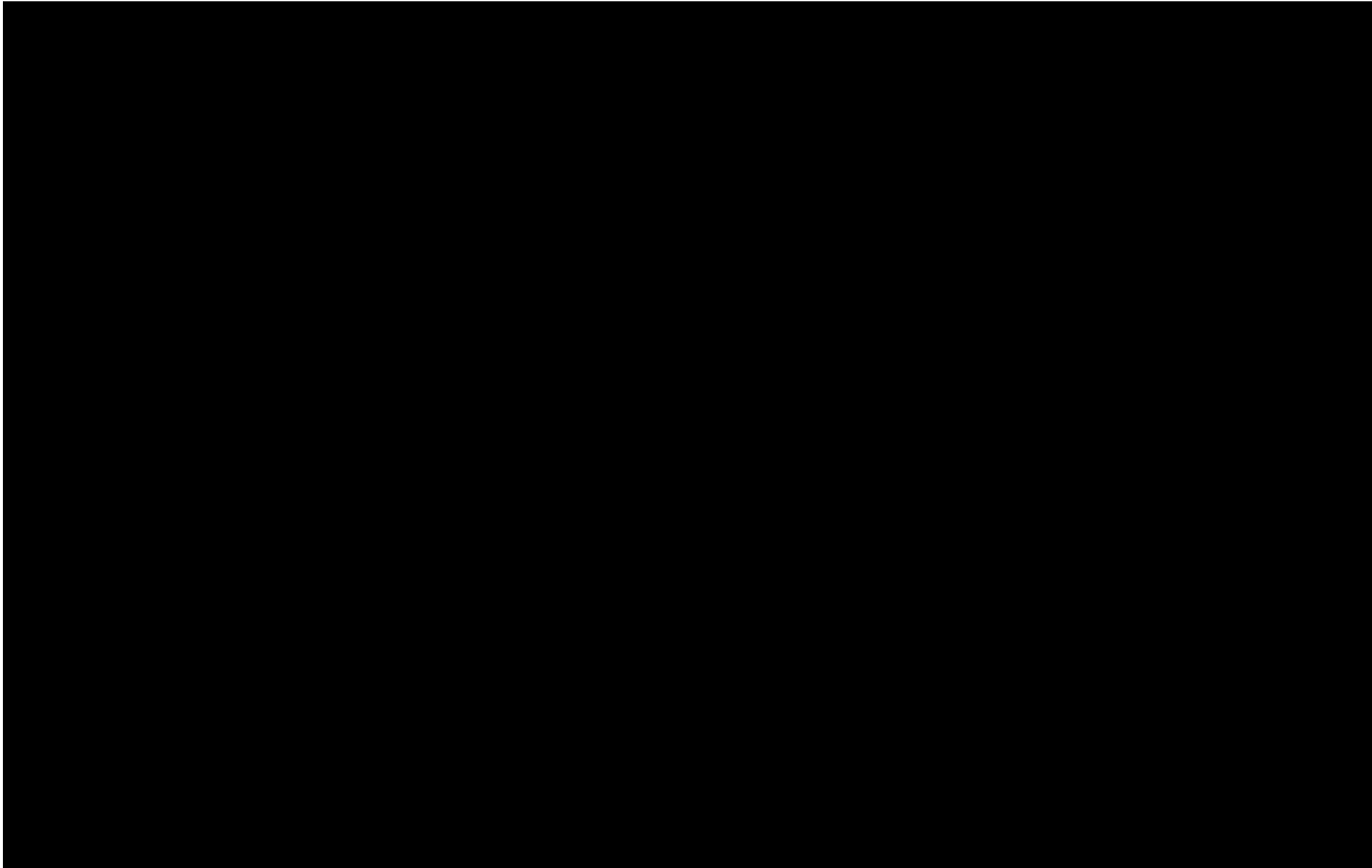
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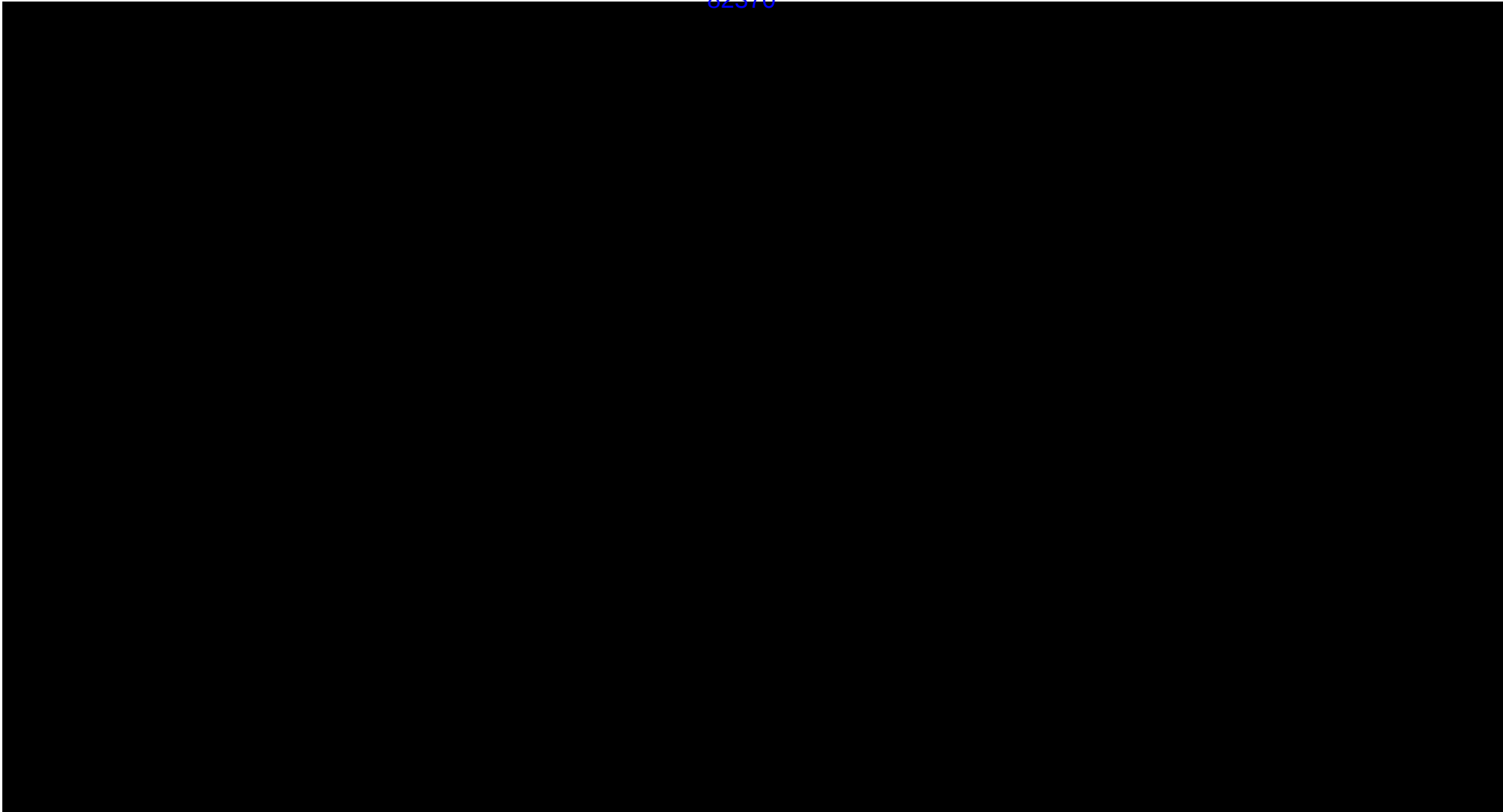
Schedule 4

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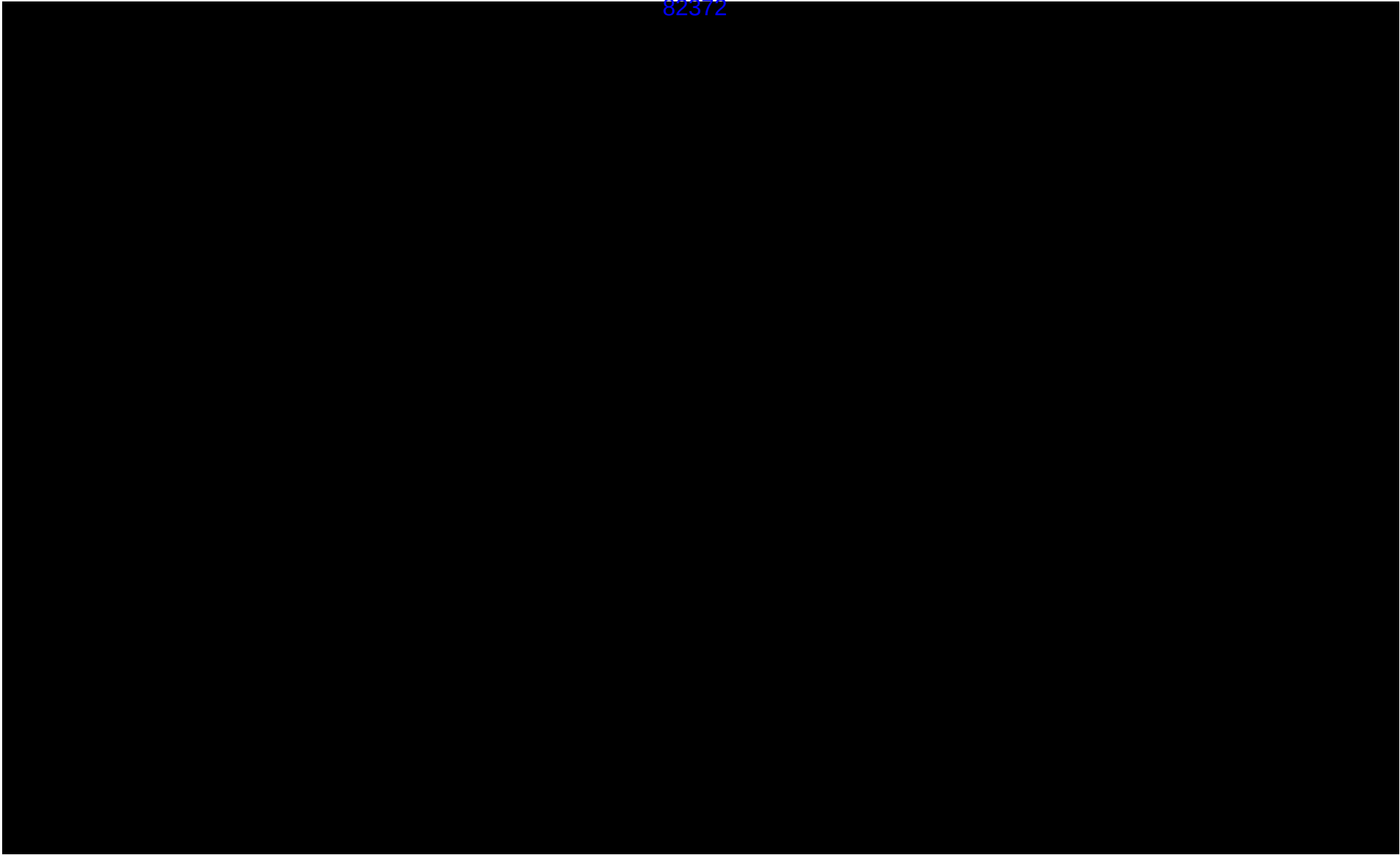
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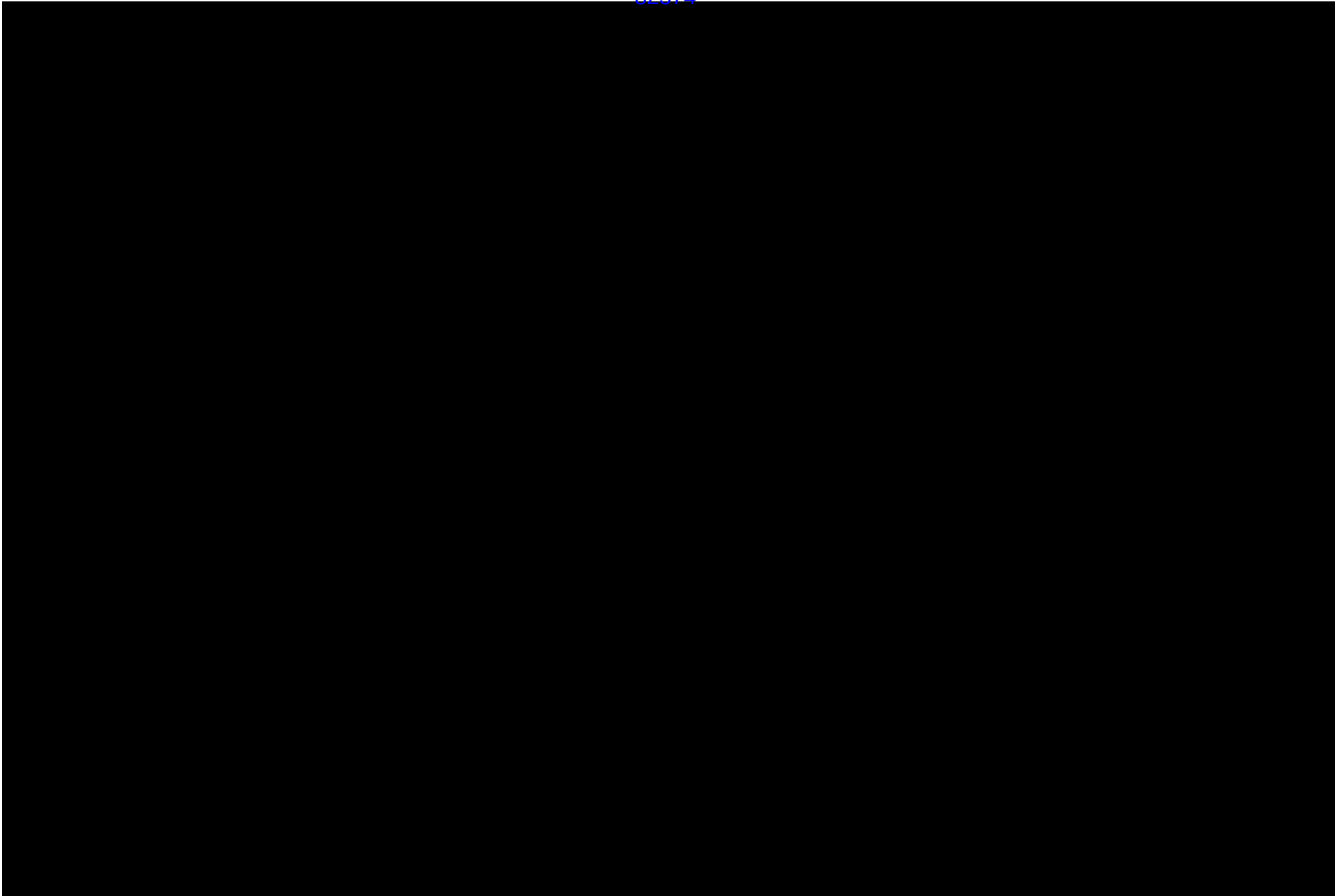
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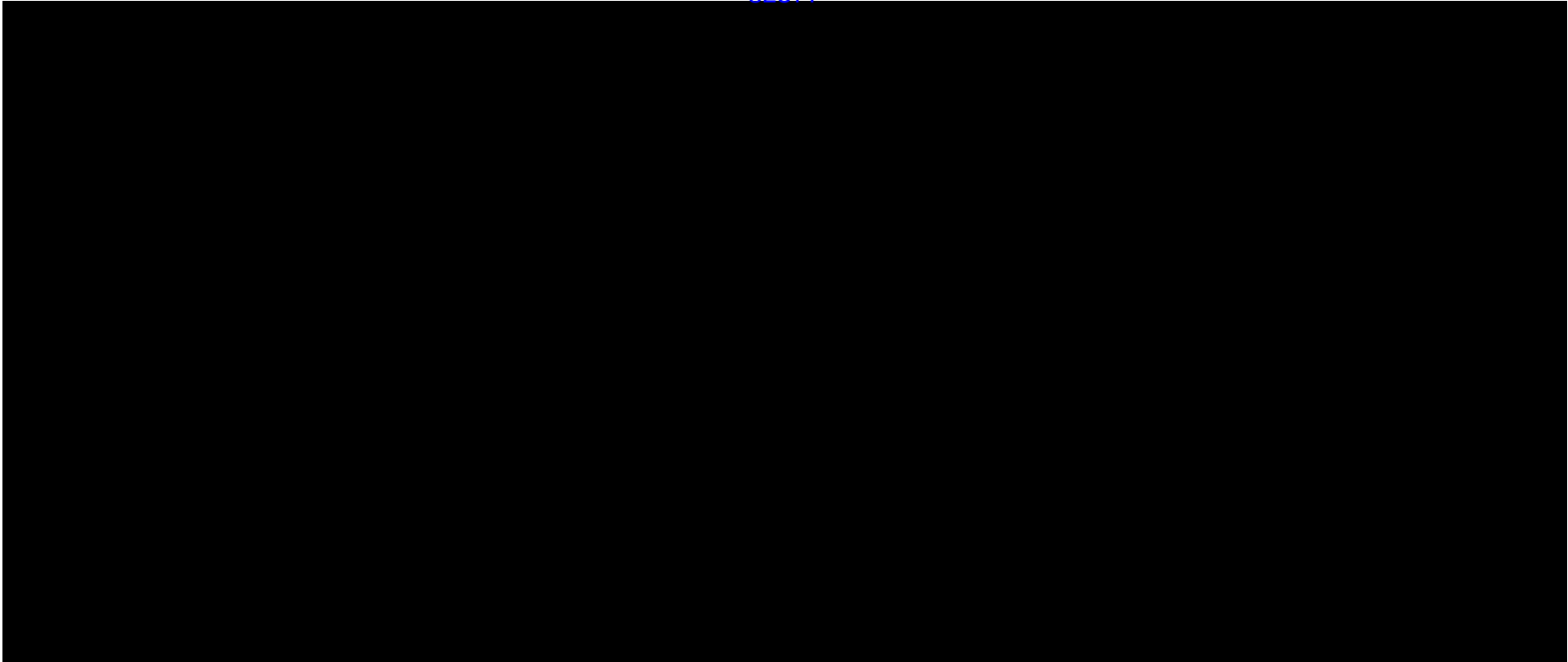


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Schedule 6

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EXHIBIT 25



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THOMSON REUTERS ENTERPRISE CENTRE GMBH AND WEST PUBLISHING CORPORATION

v.

ROSS INTELLIGENCE INC.

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

Civil Action No. 1:20-cv-00613-SB

REBUTTAL EXPERT REPORT OF JAMES E. MALACKOWSKI

September 6, 2022

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1 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹ Stipulated Protective Order, May 13, 2021.

² Expert Report of James E. Malackowski, August 1, 2022.

³ Expert Report of Alan J. Cox, Ph.D., August 1, 2022.

⁴ 17 U.S.C. § 107.

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2 SUMMARY OF OPINIONS

[REDACTED]

[REDACTED]

2.1

[REDACTED]

2.1.1

[REDACTED]

[REDACTED]

[REDACTED]

⁵ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 19.



2.1.2

[REDACTED]

[REDACTED]

2.1.3

[REDACTED]

2.1.4

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2.2

[REDACTED]

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3 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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¹¹ *Monge v. Maya Magazines, Inc.*, 688 F.3d 1164 (9th Cir. 2012).

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4 [REDACTED]

[REDACTED]

[REDACTED]

■ [REDACTED] a particular component of its training material for an Artificial Intelligence Program.”¹⁹

■ [REDACTED]

■ [REDACTED]

■ [REDACTED] r

¹³ The Rebuttal Report refers to the memos that LegalEase prepared in the Bulk Memo Project for ROSS as Bulk Memos, consistent with the Malackowski Report.

¹⁴ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 19.

¹⁵ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 19.

¹⁶ Rebuttal Schedule 1.0.

¹⁷ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 5.

¹⁸ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 36.

¹⁹ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 5.

²⁰ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 6.

²¹ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 8.

²² Expert Report of James E. Malackowski, August 1, 2022, pp. 34-35, 39.

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²⁵ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 8.



5 [REDACTED]

[REDACTED]

[REDACTED]

5.1 [REDACTED]

[REDACTED]

²⁶ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 5.

²⁷ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 5.

²⁸ Opening Expert Report of Dr. Jonathan L. Krein, August 1, 2022, p. 37.

²⁹ Defendant and Counterclaimant ROSS Intelligence Inc.'s Supplemental Responses and Objections to Plaintiffs' Set of Interrogatories (Supplemental Response to Interrogatory No. 11 Only), February 22, 2022, Supplemental Answer to Interrogatory No. 2, pp. 10-12.

³⁰ [REDACTED]

[REDACTED] ROSS-003277880-ROSS-003277881 at ROSS-003277881.

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[REDACTED]

[REDACTED]

[REDACTED]

³¹ Defendant and Counterclaimant ROSS Intelligence Inc.'s Supplemental Responses and Objections to Plaintiffs' Set of Interrogatories (Supplemental Response to Interrogatory No. 11 Only), February 22, 2022, Supplemental Answer to Interrogatory No. 2, p. 12.

³² Defendant and Counterclaimant ROSS Intelligence Inc.'s Supplemental Responses and Objections to Plaintiffs' Set of Interrogatories (Supplemental Response to Interrogatory No. 11 Only), February 22, 2022, Supplemental Answer to Interrogatory No. 2, pp. 12-13; Andrew Arruda, Deposition March 30, 2022, pp. 275, 277.

³³ Expert Report of James E. Malackowski, August 1, 2022, pp. 30-34.

³⁴ Opening Expert Report of Dr. Jonathan L. Krein, August 1, 2022, pp. 46-61.

³⁵ [REDACTED]
ROSS-000197671-ROSS-000197673 at ROSS-000197672.

³⁶ [REDACTED]
ROSS-000197671-ROSS-000197673 at ROSS-000197672.

³⁷ Tomas van der Heijden, 30(b)(6) Deposition March 17, 2022, pp. 325-326.

³⁸ Tomas van der Heijden, 30(b)(6) Deposition March 17, 2022, p. 327.

³⁹ Tariq Hafeez, 30(b)(6) Deposition May 26, 2022, pp. 78-79;

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⁴⁰ Tariq Hafeez, 30(b)(6) Deposition May 26, 2022, p. 80.

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁴¹ Tariq Hafeez, 30(b)(6) Deposition May 26, 2022, p. 79.

⁴² Tariq Hafeez, 30(b)(6) Deposition May 26, 2022, p. 78.

⁴³ Christopher Cahn, 30(b)(6) Deposition May 12, 2022, pp. 194-198.

⁴⁴ Defendant and Counterclaimant ROSS Intelligence Inc.'s Supplemental Responses and Objections to Plaintiffs' Set of Interrogatories (Supplemental Response to Interrogatory No. 11 Only), February 22, 2022, Supplemental Answer to Interrogatory No. 11, p. 63.

⁴⁵ Jimoh Ovbiagele, 30(b)(6) Deposition April 12, 2022, pp. 186-188.

⁴⁶ Jimoh Ovbiagele, 30(b)(6) Deposition April 12, 2022, p. 187.

⁴⁷ Jimoh Ovbiagele, 30(b)(6) Deposition April 12, 2022, p. 188.

⁴⁸ [REDACTED] ROSS-009722263-ROSS-009722299 at ROSS-009722264.

⁴⁹ Defendant and Counterclaimant ROSS Intelligence Inc.'s Supplemental Responses and Objections to Plaintiffs' Set of Interrogatories (Supplemental Response to Interrogatory No. 11 Only), February 22, 2022, Supplemental Answer to Interrogatory No. 2, p. 12.

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[REDACTED]

[REDACTED]

5.2 [REDACTED]

[REDACTED]

⁵⁰ Jimoh Ovbiagele, 30(b)(6) Deposition April 12, 2022, pp. 184-185.

⁵¹ Jimoh Ovbiagele, 30(b)(6) Deposition April 12, 2022, pp. 186-187.

⁵² Opening Expert Report of Dr. Jonathan L. Krein, August 1, 2022, p. 65.

⁵³ Expert Report of James E. Malackowski, August 1, 2022, pp. 26-27.

⁵⁴ Opening Expert Report of Dr. Jonathan L. Krein, August 1, 2022, pp. 34-37.

⁵⁵ Khalid Al-Kofahi, Deposition April 8, 2022, pp. 16-17, 19.

⁵⁶ Khalid Al-Kofahi, Deposition April 8, 2022, p. 144.

⁵⁷ Khalid Al-Kofahi, Deposition April 8, 2022, pp. 52-53, 132-133.

⁵⁸ Khalid Al-Kofahi, Deposition April 8, 2022, pp. 97-98.

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁵⁹ Khalid Al-Kofahi, Deposition April 8, 2022, pp. 23-24.

⁶⁰ Khalid Al-Kofahi, Deposition April 8, 2022, p. 20.

⁶¹ Khalid Al-Kofahi, Deposition April 8, 2022, pp. 20-21.

⁶² Khalid Al-Kofahi, Deposition April 8, 2022, pp. 23-24.

⁶³ Khalid Al-Kofahi, Deposition April 8, 2022, p. 22.

⁶⁴ Isabelle Moulinier, 30(b)(6) Deposition July 1, 2022, pp. 12-13.

⁶⁵ Isabelle Moulinier, 30(b)(6) Deposition July 1, 2022, pp. 13-14.

⁶⁶ Major Thomson Reuters Launch: Westlaw Edge, West Search Plus, Analytics, Enhances Citator and More, Jean O'Grady, July 12, 2018, Dewey B Strategic, <https://www.deweybstrategic.com/2018/07/6838.html>.

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[REDACTED]

[REDACTED]

5.3

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁶⁷ [REDACTED] TR-0037669-TR-0037676 at TR-0037674.

⁶⁸ Khalid Al-Kofahi, Deposition April 8, 2022, p. 60.

⁶⁹ Isabelle Moulinier, 30(b)(6) Deposition July 1, 2022, p. 143; Opening Expert Report of Dr. Jonathan L. Krein, August 1, 2022, pp. 36-37.

⁷⁰ Isabelle Moulinier, 30(b)(6) Deposition July 1, 2022, pp. 77-78.

⁷¹ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 6.

⁷² Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 5.

⁷³ Free vs. Westlaw: Why you need the West Key Number System, Thomson Reuters, <https://legal.thomsonreuters.com/en/insights/articles/using-the-west-key-numbers-system>.

⁷⁴ Interview of Jonathan Krein, Ph.D.

⁷⁵ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 6.

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[REDACTED]

[REDACTED]

5.4 [REDACTED]

[REDACTED]

⁷⁶ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 6.

⁷⁷ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, pp. 6-7.

⁷⁸ Interview of Jonathan Krein, Ph.D.

⁷⁹ Interview of Jonathan Krein, Ph.D.

⁸⁰ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, pp. 29-30.

⁸¹ Defendant and Counterclaimant ROSS Intelligence Inc.'s Supplemental Responses and Objections to Plaintiffs' Set of Interrogatories (Supplemental Response to Interrogatory No. 11 Only), February 22, 2022, Supplemental Answer to Interrogatory No. 11, p. 63.

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁸² Jimoh Ovbiagele, 30(b)(6) Deposition April 12, 2022, pp. 186-188.

⁸³ Expert Report of James E. Malackowski, August 1, 2022, p. 59.

⁸⁴ Plaintiffs and Counterdefendants Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation's Second Supplemental Responses and Objections to Defendant and Counterclaimant ROSS Intelligence Inc.'s Interrogatory No. 21, June 9, 2022, First Supplemental Response to Interrogatory No. 21, p. 22.

⁸⁵ Expert Report of James E. Malackowski, August 1, 2022, Schedule 1.2

⁸⁶ Plaintiffs and Counterdefendants Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation's Second Supplemental Responses and Objections to Defendant and Counterclaimant ROSS Intelligence Inc.'s Interrogatory No. 21, June 9, 2022, First Supplemental Response to Interrogatory No. 21, p. 22.

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6 [REDACTED]

[REDACTED]

6.1 [REDACTED]

[REDACTED]

⁸⁷ Expert Report of James E. Malackowski, August 1, 2022, pp. 13-17.

⁸⁸ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 28.

⁸⁹ Andrew Arruda, Deposition March 30, 2022, pp. 39, 103, 114; [REDACTED] ROSS-003705907-ROSS-003705908 at ROSS-003705907; Declaration of Andrew Arruda, *West Publishing Corporation v. LegalEase Solutions, LLC*, Case No. 0:18-cv-01445, October 1, 2019, p. 2; Tomas van der Heijden, 30(b)(6) Deposition March 17, 2022, p. 55.

⁹⁰ [REDACTED] ROSS-003705907-ROSS-003705908 at ROSS-003705907.

⁹¹ Andrew Arruda, Deposition March 30, 2022, pp. 39, 112, 114.

⁹² [REDACTED] ROSS-009501052-ROSS-009501053 at ROSS-009501052.

⁹³ [REDACTED] ROSS-009501052-ROSS-009501053 at ROSS-009501052.

⁹⁴ [REDACTED] ROSS-010114898-ROSS-010114899.

⁹⁵ [REDACTED]

[REDACTED] ROSS-003389728-ROSS-0003389730 at ROSS-003389728.

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[REDACTED]

[REDACTED] training data, the ROSS legal research platform would be “useless” to its customer-licensees.⁹⁹

6.2 [REDACTED]

[REDACTED]

[REDACTED]

⁹⁶ Complaint, May 6, 2020, pp. 11-14.

⁹⁷ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 19.

⁹⁸ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 20.

⁹⁹ Interview of Jonathan Krein, Ph.D.

¹⁰⁰ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, pp. 24-25.

¹⁰¹ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, pp. 21-25.

¹⁰² Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 24.

¹⁰³ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 24.

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INTELLECTUAL CAPITAL EQUITY

the need to dive into a result list” by returning West Headnotes linked to judicial opinions.¹⁰⁶

6.3

¹⁰⁴ Free vs. Westlaw: Why you need the West Key Number System, Thomson Reuters, <https://legal.thomsonreuters.com/en/insights/articles/using-the-west-key-numbers-system>.

¹⁰⁵ Emphasis in original. Free vs. Westlaw: Why you need the West Key Number System, Thomson Reuters, <https://legal.thomsonreuters.com/en/insights/articles/using-the-west-key-numbers-system>.

¹⁰⁶ Free vs. Westlaw: Why you need the West Key Number System, Thomson Reuters, <https://legal.thomsonreuters.com/en/insights/articles/using-the-west-key-numbers-system>.

¹⁰⁷ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 25.

¹⁰⁸ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 25.

¹⁰⁹ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 34.

110 [REDACTED] ROSS-009501052-ROSS-009501053 at ROSS-009501052.

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7

[REDACTED]

[REDACTED]

7.1

[REDACTED]

[REDACTED]

[REDACTED]

¹¹¹ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 37.

¹¹² Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 38, footnote 153.

¹¹³ Longtime Competitors Fastcase and Casemaker Merge, Reshaping the Legal Research Landscape, Bob Ambrogi, LawSites, January 5, 2021, <https://www.lawnext.com/2021/01/longtime-competitors-fastcase-and-casemaker-merge-reshaping-the-legal-research-landscape.html>.

¹¹⁴ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 37.

¹¹⁵ Expert Report of James E. Malackowski, August 1, 2022, pp. 13-17.

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7.2

[REDACTED]

[REDACTED]

[REDACTED]

¹¹⁶ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 38, footnote 153.

¹¹⁷ Complaint, May 6, 2020, p. 8.

¹¹⁸ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 38, footnote 153.

¹¹⁹ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 38, footnote 153.

¹²⁰ Bloomberg Hangs New Shingle, The Wall Street Journal, July 8, 2010, <https://www.wsj.com/articles/SB10001424052748704545004575353143750422612>.

¹²¹ Complaint, May 6, 2020, p. 8.

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[REDACTED]

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8

[REDACTED]

[REDACTED]

8.1

[REDACTED]

[REDACTED]

[REDACTED]

¹²² Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 35.

¹²³ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 35.

¹²⁴ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, pp. 7, 35-40.

¹²⁵ Swatch Grp. Mgmt. Servs. Ltd. v. Bloomberg L.P., 756 F.3d 73, 91 (2nd Cir. 2014).

¹²⁶ Sony Corp. of Am. v. Universal City Studios, Inc., 464 U.S. 417, 450-51 (1984).

¹²⁷ *Monge v. Maya Magazines, Inc.*, 688 F.3d 1164, 1191-1192 (9th Cir. 2012).

¹²⁸ *Kelly v. Arriba Soft Corp.*, 336 F.3d 811, 821 (9th Cir. 2002).

¹²⁹ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 35.

¹³⁰ *Am. Geophysical Union v. Texaco Inc.*, 60 F.3d 913, 930 (2d Cir. 1994).

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[REDACTED]

[REDACTED]

8.2

[REDACTED]

[REDACTED]

¹³¹ *Monge v. Maya Magazines, Inc.*, 688 F.3d 1164, 1183-1184 (9th Cir. 2012).

¹³² Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 36.

¹³³ Expert Report of Alan J. Cox, Ph.D., August 1, 2022, p. 36.

¹³⁴

ROSS-003334354;

TR-0038909-TR-0038920;

ROSS-

000304769-ROSS-000304784 at ROSS-000304771-ROSS-000304774;

ROSS-003389728-ROSS-0003389730 at ROSS-003389728.

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹³⁵ Opening Expert Report of Dr. Jonathan L. Krein, August 1, 2022, pp. 75, 89.

¹³⁶ Interview of Jonathan Krein, Ph.D.

¹³⁷ Jimoh Ovbiagele, 30(b)(6) Deposition April 12, 2022, p. 227.

¹³⁸ Jimoh Ovbiagele, 30(b)(6) Deposition April 12, 2022, pp. 167-168.

¹³⁹ Isabelle Moulinier, 30(b)(6) Deposition July 1, 2022, p. 143.

¹⁴⁰ Khalid Al-Kofahi, Deposition April 8, 2022, pp. 16-17, 20; Isabelle Moulinier, 30(b)(6) Deposition July 1, 2022, pp. 12-13; Major Thomson Reuters Launch: Westlaw Edge, West Search Plus, Analytics, Enhances Citator and More, Jean O'Grady, July 12, 2018, Dewey B Strategic, <https://www.deweybstrategic.com/2018/07/6838.html>.

¹⁴¹ Expert Report of James E. Malackowski, August 1, 2022, pp. 46-48.

¹⁴² Expert Report of James E. Malackowski, August 1, 2022, pp. 46-48.

¹⁴³ Opening Expert Report of Dr. Jonathan L. Krein, August 1, 2022, pp. 79-88.

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[REDACTED]

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9 SIGNATURE

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James E. Malackowski", written over a horizontal line.

James E. Malackowski

September 6, 2022

Date

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Appendix B - Rebuttal

Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation v. ROSS Intelligence, Inc.

DOCUMENTS CONSIDERED

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Thomson Reuters and Westlaw Produced Documents

TR-0000030	TR-0037211 - TR-0037214	TR-0179887 - TR-0179890
TR-0000568 - TR-0000581	TR-0037669 - TR-0037680	TR-0179889
TR-0000587 - TR-0000590	TR-0037703 - TR-0037706	TR-0358927 - TR-0358948
TR-0000695 - TR-0000696	TR-0037860 - TR-0037861	TR-0358967 - TR-0358988
TR-0001119 - TR-0001122	TR-0038909 - TR-0038922	TR-0359181 - TR-0359186
TR-0001142 - TR-0001165	TR-0039860 - TR-0039885	TR-0359202 - TR-0359204
TR-0001253	TR-0039933 - TR-0039942	TR-0359401 - TR-0359443
TR-0001733 - TR-0001735	TR-0040273 - TR-0040566	TR-0359503 - TR-0359560
TR-0001965 - TR-0001971	TR-0044730	TR-0359564 - TR-0359954
TR-0002635 - TR-0002636	TR-0048605 - TR-0048606	TR-0359959 - TR-0360216
TR-0002705 - TR-0002710	TR-0048620	TR-0361194 - TR-0361207
TR-0002723	TR-0048725 - TR-0048732	TR-0433738 - TR-0433741
TR-0002758 - TR-0002772	TR-0049195 - TR-0049200	TR-0521595
TR-0002775	TR-0073545 - TR-0073546	TR-0526552 - TR-0528261
TR-0002779 - TR-0002783	TR-0091408 - TR-0091411	TR-0532236 - TR-0532373
TR-0002812 - TR-0002814	TR-0098206 - TR-0098209	TR-0532427
TR-0002837 - TR-0002839	TR-0135110 - TR-0135116	TR-0532475 - TR-0532476
TR-0002844 - TR-0002849	TR-0178604 - TR-0178612	TR-0532519 - TR-0532520
TR-0002864 - TR-0003137	TR-0179830 - TR-0179845	TR-0549927 - TR-0549958
TR-0033982 - TR-0033985	TR-0179838 - TR-0179847	TR-0734270 - TR-0734276
TR-0033999 - TR-0034002	TR-0179838 - TR-0179850	TR-0836004
TR-0034152 - TR-0034155	TR-0179863 - TR-0179870	TR-0894151 - TR-0894157
TR-0034357 - TR-0034359	TR-0179863 - TR-0179872	TR-0908413 - TR-0908442
TR-0034509 - TR-0034512	TR-0179876 - TR-0179877	TR-0908447
TR-0034557 - TR-0034560	TR-0179876 - TR-0179878	TR-0908678 - TR-0908680
TR-0035897 - TR-0035908	TR-0179877	TR-0908939 - TR-0908942
TR-0035922 - TR-0035925	TR-0179884 - TR-0179886	TR-0909025 - TR-0909029
TR-0036336 - TR-0036340	TR-0179885	WPC-0001475 - WPC-0001476

ROSS Produced Documents

ROSS_0103232888	ROSS-000176146 - ROSS-000176148	ROSS-000197791 - ROSS-000197794
ROSS-000000001 - ROSS-000000002	ROSS-000176758 - ROSS-000176780	ROSS-000197949 - ROSS-000197951
ROSS-000061913 - ROSS-000061932	ROSS-000176798 - ROSS-000176803	ROSS-000198151 - ROSS-000198152
ROSS-000175054 - ROSS-000175067	ROSS-000197671 - ROSS-000197673	ROSS-000201544

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ROSS-000201630 - ROSS-000201632	ROSS-003390101 - ROSS-003390105	ROSS-009603341
ROSS-000203449 - ROSS-000203467	ROSS-003390233 - ROSS-003390236	ROSS-009621324 - ROSS-009621325
ROSS-000204216 - ROSS-000204218	ROSS-003390563 - ROSS-003390565	ROSS-009637399 - ROSS-009637400
ROSS-000204366 - ROSS-000204367	ROSS-003390586 - ROSS-003390587	ROSS-009637509
ROSS-000235965 - ROSS-000235969	ROSS-003390869 - ROSS-003390871	ROSS-009659108
ROSS-000241438 - ROSS-000241439	ROSS-003390881 - ROSS-003390884	ROSS-009659301
ROSS-000247118 - ROSS-000247120	ROSS-003391075	ROSS-009659437
ROSS-000251670 - ROSS-000251671	ROSS-003391127 - ROSS-003391130	ROSS-009659609
ROSS-000271277 - ROSS-000271302	ROSS-003413719	ROSS-009660296
ROSS-000304769 - ROSS-000304784	ROSS-003414996	ROSS-009660815
ROSS-000304847 - ROSS-000304856	ROSS-003415357 - ROSS-003415367	ROSS-009660832 - ROSS-009660841
ROSS-001782470 - ROSS-001782489	ROSS-003419039 - ROSS-003419044	ROSS-009661179
ROSS-003268059	ROSS-003483172 - ROSS-003483173	ROSS-009664862
ROSS-003276744 - ROSS-003276745	ROSS-003487472 - ROSS-003487474	ROSS-009664862 - ROSS-009664867
ROSS-003277880 - ROSS-003277881	ROSS-003496253	ROSS-009666105
ROSS-003278045	ROSS-003522469 - ROSS-003522470	ROSS-009667571
ROSS-003278256 - ROSS-003278258	ROSS-003537612 - ROSS-003537613	ROSS-009667620
ROSS-003278267	ROSS-003540523	ROSS-009668638 - ROSS-009668640
ROSS-003334354	ROSS-003610162 - ROSS-003610165	ROSS-009668688
ROSS-003343202 - ROSS-003343207	ROSS-003610547	ROSS-009668796
ROSS-003382387 - ROSS-003382389	ROSS-003695819 - ROSS-003695827	ROSS-009675875
ROSS-003383658	ROSS-003705907 - ROSS-003705911	ROSS-009676232 - ROSS-009676233
ROSS-003384058 - ROSS-003384059	ROSS-003715393 - ROSS-003715406	ROSS-009676258
ROSS-003385440 - ROSS-003385442	ROSS-003715671	ROSS-009676260
ROSS-003386171 - ROSS-003386173	ROSS-003718400 - ROSS-003718407	ROSS-009676660
ROSS-003386670 - ROSS-003386686	ROSS-009494331	ROSS-009677267
ROSS-003389607	ROSS-009501052 - ROSS-009501053	ROSS-009688516
ROSS-003389615 - ROSS-003389616	ROSS-009503144	ROSS-009688583
ROSS-003389728 - ROSS-003389732	ROSS-009547818 - ROSS-009547823	ROSS-009690393 - ROSS-009690399
ROSS-003389778 - ROSS-003389779	ROSS-009556219 - ROSS-009556220	ROSS-009690394
ROSS-003389911	ROSS-009558474 - ROSS-009558475	ROSS-009698876
ROSS-003389928 - ROSS-003389938	ROSS-009559997 - ROSS-009559998	ROSS-009705518
ROSS-003389945 - ROSS-003389946	ROSS-009583583	ROSS-009705710
ROSS-003389960 - ROSS-003389961	ROSS-009584733 - ROSS-009584735	ROSS-009706035
ROSS-003390024 - ROSS-003390025	ROSS-009585472	ROSS-009720945 - ROSS-009720946
ROSS-003390050 - ROSS-003390052	ROSS-009599508 - ROSS-009599509	ROSS-009720946 - ROSS-009720954
ROSS-003390062 - ROSS-003390065	ROSS-009601555	ROSS-009720977
ROSS-003390071 - ROSS-003390075	ROSS-009601588 - ROSS-009601589	ROSS-009721062

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ROSS-009721062 - ROSS-009721064	ROSS-010099622 - ROSS-010099623	ROSS-010318431
ROSS-009721138 - ROSS-009721139	ROSS-010106819 - ROSS-010106840	ROSS-010318435
ROSS-009721521 - ROSS-009721522	ROSS-010114898 - ROSS-010114899	ROSS-010318437
ROSS-009721525	ROSS-010151565 - ROSS-010151570	ROSS-010318448
ROSS-009721539	ROSS-010157007 - ROSS-010157008	ROSS-010318459
ROSS-009722028	ROSS-010164415 - ROSS-010164417	ROSS-010318684
ROSS-009722034	ROSS-010164415 - ROSS-010164418	ROSS-010318686
ROSS-009722081 - ROSS-009722083	ROSS-010186032 - ROSS-010186033	ROSS-010319517
ROSS-009722263 - ROSS-009722299	ROSS-010209030 - ROSS-010209035	ROSS-010319520
ROSS-009722349	ROSS-010221959 - ROSS-010221960	ROSS-010319595 - ROSS-010319596
ROSS-009722606	ROSS-010224509	ROSS-010319771
ROSS-009722699	ROSS-010241185 - ROSS-010241191	ROSS-010319914
ROSS-009722781	ROSS-010262269	ROSS-010319997
ROSS-009722810	ROSS-010262295	ROSS-010320005
ROSS-009722867	ROSS-010264083	ROSS-010320024
ROSS-009723167	ROSS-010264450	ROSS-010320092
ROSS-009723181	ROSS-010265185	ROSS-010320219
ROSS-009723190	ROSS-010268031	ROSS-010320363
ROSS-009723321	ROSS-010268840	ROSS-010320544
ROSS-009723513	ROSS-010270585	ROSS-010320665
ROSS-009724001 - ROSS-009724002	ROSS-010270844	ROSS-010320773
ROSS-009724273	ROSS-010271649	ROSS-010320775 - ROSS-010320776
ROSS-009724328	ROSS-010271696	ROSS-010320798 - ROSS-010320799
ROSS-009724635	ROSS-010271701 - ROSS-010271702	ROSS-010321010
ROSS-009724653	ROSS-010272041 - ROSS-010272046	ROSS-010321321 - ROSS-010321322
ROSS-009724983	ROSS-010278634	ROSS-010321551 - ROSS-010321552
ROSS-009725036	ROSS-010279547	ROSS-010321554
ROSS-009725466	ROSS-010279751	ROSS-010321557
ROSS-009725472	ROSS-010290089	ROSS-010321701
ROSS-009725534	ROSS-010291541	ROSS-010321970
ROSS-009725538	ROSS-010291961 - ROSS-010291962	ROSS-010322226
ROSS-009725605	ROSS-010292064	ROSS-010322390
ROSS-009725612	ROSS-010292067	ROSS-010322423
ROSS-009725675	ROSS-010300414 - ROSS-010300416	ROSS-010322513
ROSS-009725677	ROSS-010300433	ROSS-010322551
ROSS-009725864	ROSS-010306683	ROSS-010322631
ROSS-009725908	ROSS-010306690	ROSS-010322787
ROSS-009731365 - ROSS-009731369	ROSS-010316865 - ROSS-010316866	ROSS-010322870 - ROSS-010322872

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ROSS-010322919 - ROSS-010322920
ROSS-010322928
ROSS-010323018
ROSS-010323194
ROSS-010323272
ROSS-010323288 - ROSS-010323319

ROSS-010323324
ROSS-010361787 - ROSS-010361789
ROSS-010364506 - ROSS-010364509
ROSS-023018166 - ROSS-023018167
ROSS-023018180 - ROSS-023018183
ROSS-023018233 - ROSS-023018236

ROSS-023018279 - ROSS-023018281
ROSS-023018635
ROSS-023018710 - ROSS-023018739
ROSS-023018772

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LEGALEASE-00030617 - LEGALEASE-00030618
LEGALEASE-00067320 - LEGALEASE-00067323
LEGALEASE-00069484 - LEGALEASE-00069487
LEGALEASE-00078065 - LEGALEASE-00078083
LEGALEASE-00108391 - LEGALEASE-00108392
LEGALEASE-00123981 - LEGALEASE-00123982
LEGALEASE-00132781 - LEGALEASE-00132782
LEGALEASE-00132970 - LEGALEASE-00132971
LEGALEASE-00139081 - LEGALEASE-00139082
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LEGALEASE-00166082 - LEGALEASE-00166083
LEGALEASE-00171823
LEGALEASE-00171828 - LEGALEASE-00171831
LEGALEASE-00043224 - LEGALEASE-00043225
R-LEGALEASE-00028693 - R-LEGALEASE-00028694
R-LEGALEASE-00029691 - R-LEGALEASE-00029693
R-LEGALEASE-00048728 - R-LEGALEASE-00048737
R-LEGALEASE-00048772 - R-LEGALEASE-00048776
R-LEGALEASE-00048928 - R-LEGALEASE-00048932
R-LEGALEASE-00049260
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R-LEGALEASE-00049652 - R-LEGALEASE-00049664
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R-LEGALEASE-00067404
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R-LEGALEASE-00101636 - R-LEGALEASE-00101642
R-LEGALEASE-00140064 - R-LEGALEASE-00140078
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FASTCASE_090487 - FASTCASE_090490
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Deposition of Andrew Arruda, March 30, 2022 with exhibits
30(b)(6) Deposition of Christopher Cahn, May 12, 2022
30(b)(6) Deposition of Tariq Hafeez, May 26, 2022 with exhibits
Deposition of Mark Hoffman, March 16, 2022 with exhibits
30(b)(6) Deposition of Erik Lindberg, March 22, 2022 with exhibits
30(b)(6) Deposition of Andrew Martens, March 25, 2022 with exhibits
30(b)(6) Deposition of Isabelle Moulinier, July 1, 2022 with exhibits
30(b)(6) Deposition of Jimoh Ovbiagele, April 12, 2022 with exhibits
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[REDACTED]

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EXHIBIT 26

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

THOMSON REUTERS ENTERPRISE)	
CENTRE GMBH and WEST PUBLISHING)	
CORPORATION,)	C.A. No. 20-613-SB
)	
Plaintiffs/Counterdefendants,)	JURY TRIAL DEMANDED
)	
v.)	HIGHLY CONFIDENTIAL –
)	ATTORNEYS’ EYES ONLY
ROSS INTELLIGENCE INC.,)	
)	
Defendants/Counterclaimant.)	

**DEFENDANT AND COUNTERCLAIMANT ROSS INTELLIGENCE INC.’S
SUPPLEMENTAL RESPONSES AND OBJECTIONS TO
PLAINTIFFS’ SET OF INTERROGATORIES
(SUPPLEMENTAL RESPONSE TO INTERROGATORY NOS. 11 & 12 ONLY)**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the Local Rules of Civil Practice and Procedure of the United States District Court for the District of Delaware (“the Local Rules”), Defendant/Counterclaimant ROSS Intelligence Inc. (“ROSS”) hereby supplement its response and objections to the First Set of Interrogatories to ROSS served by Plaintiffs Thomson Reuters Enterprise Centre Gmbh and West Publishing Co. (collectively, “Plaintiffs”) on May 12, 2021.

These responses are made solely for the purpose of this litigation. Each response is subject to all objections as to competence, relevance, materiality, propriety, and admissibility, and to any and all other objections on any grounds that would require the exclusion of any statements contained herein if such interrogatories were asked of, or statements contained herein were made by, a witness present and testifying in court, and all such objections are expressly reserved and may be asserted at the time of trial.

ROSS’s responses are based upon information presently available to and located by ROSS. ROSS has not completed its investigation of the facts relating to this case, discovery in this action,



Interrogatory No. 2:

DESCRIBE the process through which TRAINING DATA was used to create the ROSS PLATFORM, including without limitation how such materials were created, how such materials were obtained, who created them, and how they were used to train any artificial intelligence algorithms or systems.

ANSWER TO INTERROGATORY NO. 2:

[REDACTED]

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Interrogatory No. 3:

DESCRIBE the purpose of any TRAINING DATA, whether in its original form or in another form based on it, used by ROSS, including without limitation the purpose when such materials are used by PLAINTIFFS and the purpose when they are used by ROSS.

Interrogatory No. 10:

DESCRIBE each iteration of the ROSS PLATFORM, including without limitation how its TECHNICAL FUNCTIONING changed from its first iteration to its last iteration.

ANSWER TO INTERROGATORY NO. 10:

[REDACTED]

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Interrogatory No. 11:

DESCRIBE the complete factual and legal basis for ROSS's belief that it is not liable for copyright infringement, whether direct or indirect, including without limitation the complete factual and legal basis for each affirmative defense ROSS asserts in this LITIGATION.

ANSWER TO INTERROGATORY NO. 11:

[REDACTED]

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SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 11:

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A series of 15 horizontal black bars of varying lengths, representing redacted text. The bars are stacked vertically, with some being longer than others, creating a jagged right edge. The bars are solid black and have no text or other markings on them.

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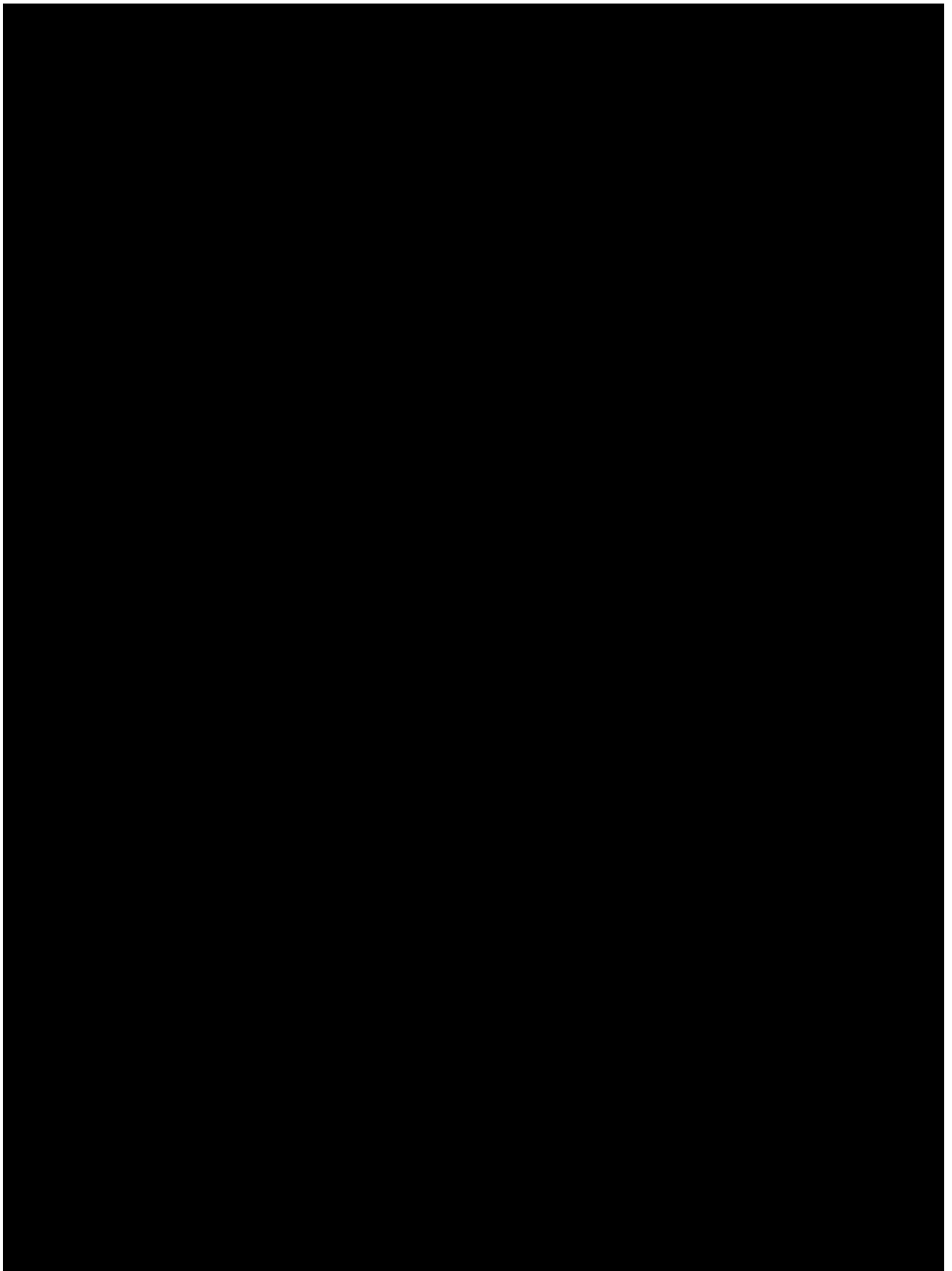
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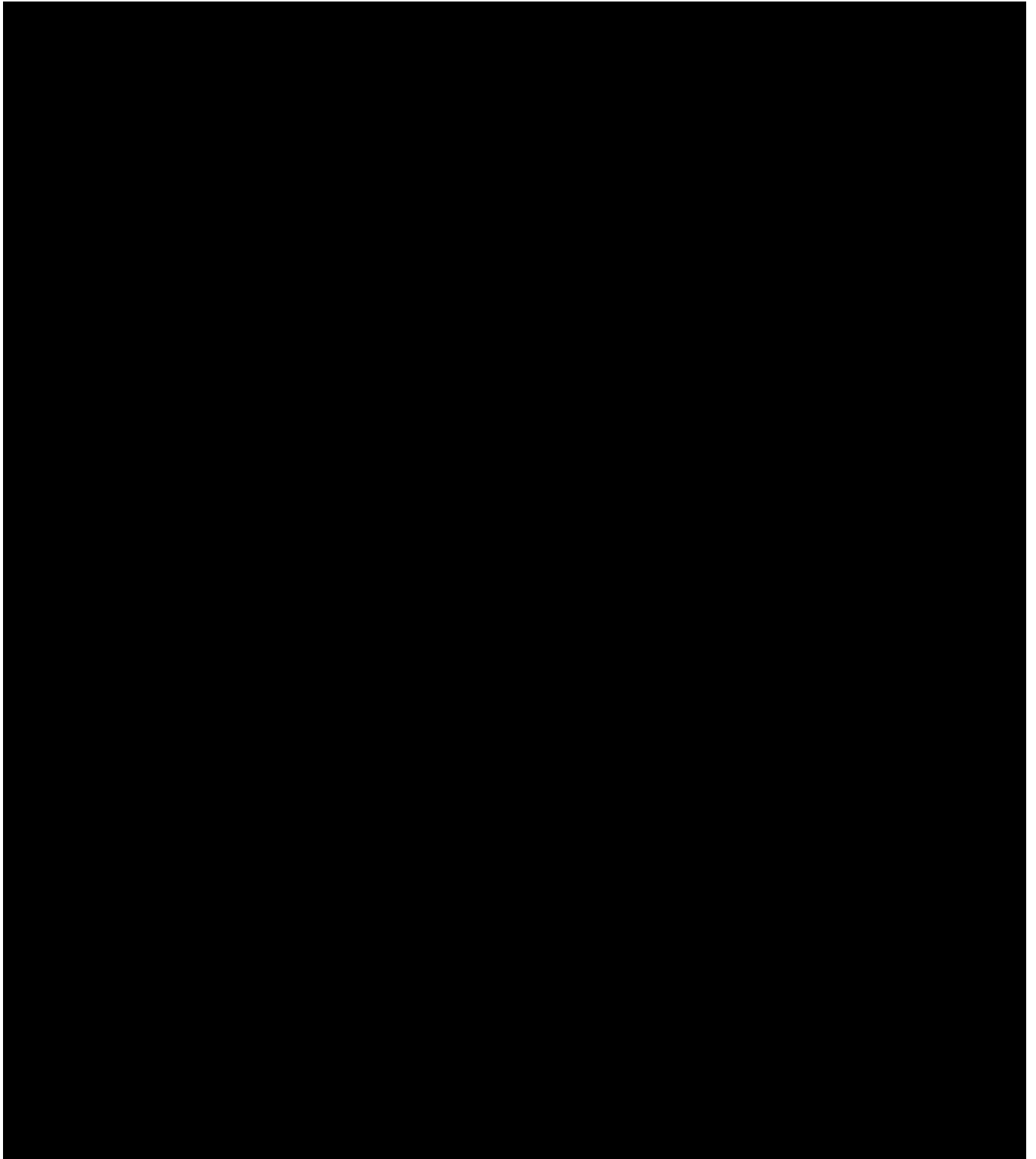
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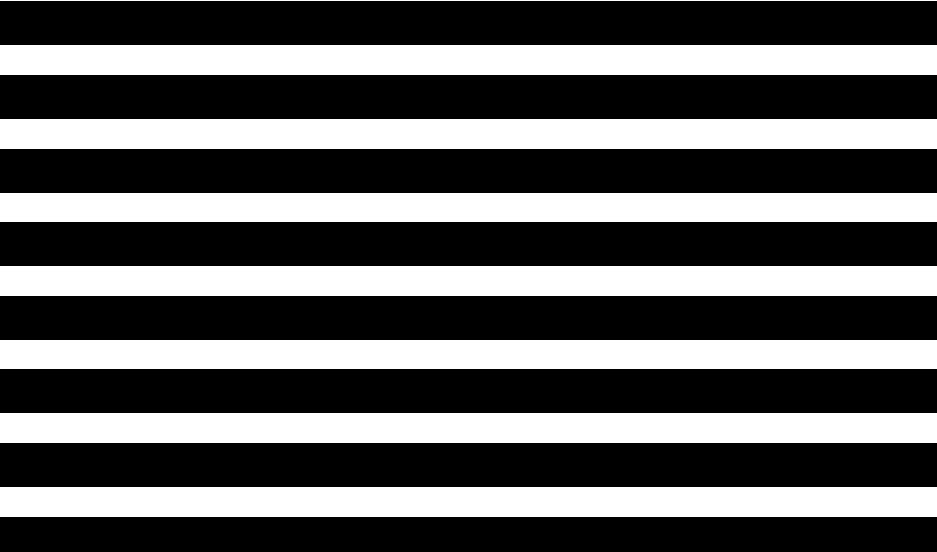
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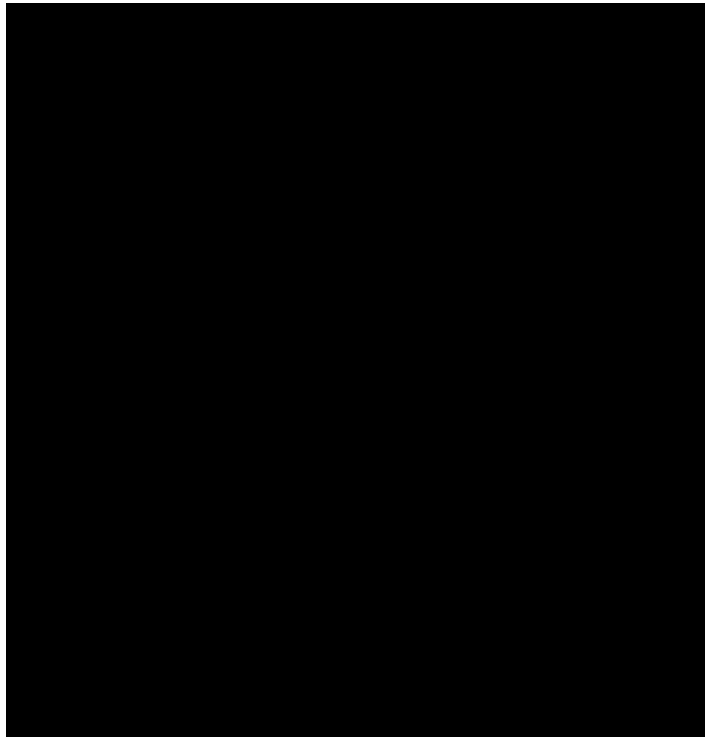
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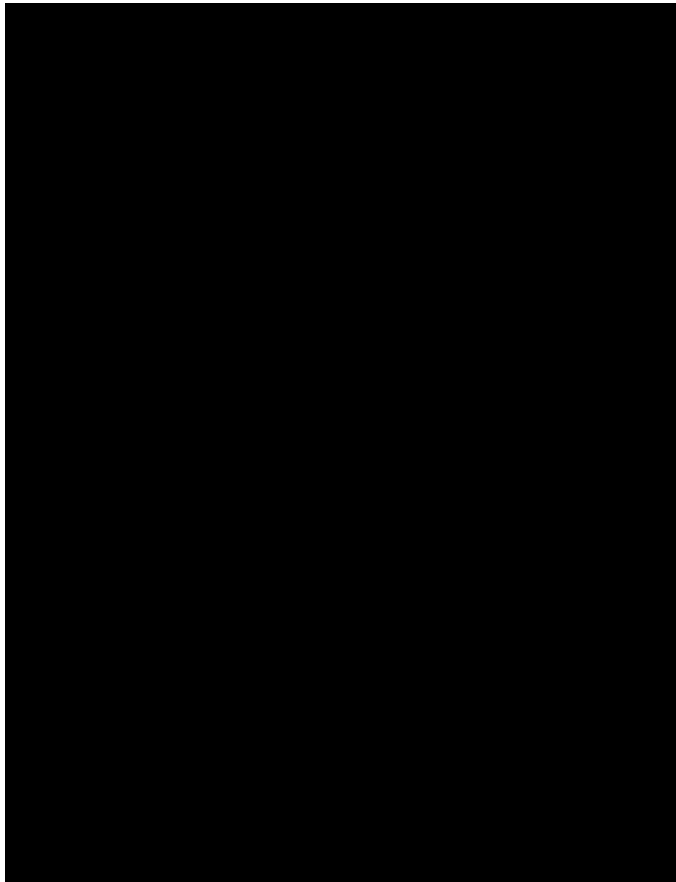
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ANSWER TO INTERROGATORY NO. 13:

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Dated: September 14, 2022
10338232 / 50241

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EXHIBIT 27

How is Natural Language Search Changing The Face of Legal Research?

By Stergios Anastasiadis - April 8, 2019 - Legal Research

In order to understand how ROSS's A.I. is changing legal research, it's important to understand machine learning, natural language processing, and other A.I. basics. From that basis, we can more meaningfully discuss how those systems are being deployed to improve legal research. In this post, we're going to discuss the fundamentals of natural language search and how it improves legal queries and legal search results in ROSS.

ROSS's natural language processing (NLP) allows lawyers to phrase their research queries the way they would phrase a question to a colleague. Having a system that understands and can leverage the semantic and syntactic context of your query will improve your legal research questions and search results.

A query optimized with the help of NLP will surface the most accurate and relevant decisions

because the system was assessed with the prior queries that yielded the best legal search results. Since the system has analyzed all relevant case law, assistance from optimized queries will deliver high recall (the percentage of relevant decisions returned) and high precision (the percentage of total decisions returned that are relevant).

The four areas that drive NLP are speech recognition, understanding, generation, and speech synthesis.

- Natural language understanding (NLU) is narrower in purpose than NLP, focusing primarily on machine reading comprehension: getting the computer to comprehend what a body of text really means. After all, if a machine cannot comprehend the content, it cannot process it.
- Natural language generation (NLG) is another subset of NLP. NLG turns data into narratives and reports expressed in easy-to-read language.
- Speech Recognition (SR) understands or transcribes spoken language
- and Speech Synthesis (SS) into easy-to-read narratives and reports.

The system allows NLP queries to be typed into a search engine, spoken aloud with voice search or posed as a question to a digital assistant. The goal is to make interactions feel exactly like interactions among humans.

A great overview can be found in [this Medium article, "Chapter 9: Natural Language Processing"](#) by [Madhu Sanjeevi](#). The article provides a good understanding of the moving parts without getting bogged down in technical details.

Now let's dig into how ROSS makes this happen.

The complex world of Language, Linguistics, Terms, Expansions and Simplifications is outlined nicely by Jocelyn D'Souza in a great 3 minute read: "[A dive into Natural Language Processing](#)".

The lawyer enters a query to find relevant cases. The NLP system interprets the query and "matches" it with legal text.

As you type, your query is processed instantly on three levels:

- Syntax – understanding the grammar of the text
- Semantics – understanding the meaning of the text
- Pragmatics – understanding the context of the text

In milliseconds, the system undertakes the three-level processing and it assesses:

1. **Language representations:** representing the meaning of words at the word, phrase, sentence, and passage level. This potentially makes matching a lot easier.
2. **Linguistic features:** alternatives are used to help with query complexity. A "major" category is noun vs. verb, but also person and number, plurality, tense.
3. **Term suggestions:** legal term suggestions specifically help users write better queries that incorporate legal context.
4. **Expansions:** query expansion provides alternate queries to users based on a global analysis, using some form of thesaurus. This can be combined with legal term suggestions.
5. and **Simplifications:** gives users feedback on their queries that attempt to eliminate complexity.

ROSS is including 1,2,4 and 5 with "Term suggestions" coming soon. "Expansion" will be treated using the same model as with "Term suggestions" but automated on behalf of the user.

A simple overview of the way Google applies this thinking to its search can be found in the ["Google Inside Search"](#) blog.

Before you hit **"Ask the Question?"** button it's also helpful to understand how data is stored and retrieved.

The system contains millions of legal decisions and hundreds of millions of passages that have already been processed by machine learning algorithms. The ingestion of legal data happens daily. The algorithms are trained against a corpus of queries and legal decisions. Once the algorithms meet acceptable statistical thresholds, they are then let loose to perform searches against the millions of decisions and hundreds of millions of passages.

These algorithms are usually referred to as ranking and retrieval algorithms. In the example below all the lightly colored boxes assemble the graph used to narrow down from your query to nodes displayed in the answer cards at the bottom of the illustration. They are fast, accurate and reliable algorithms.

As the tree is traversed, the query is used on each node to create a score, making its way down to the leaf nodes. Each leaf node gets a final score, thus completing the ranking process. The system then returns the top leaf nodes based on their final score. This is called retrieval.

Now hit the **"Ask the Question?"** button. The query is submitted and voila, the ranking and retrieval algorithms do their magic by analyzing decisions and other data in milliseconds.



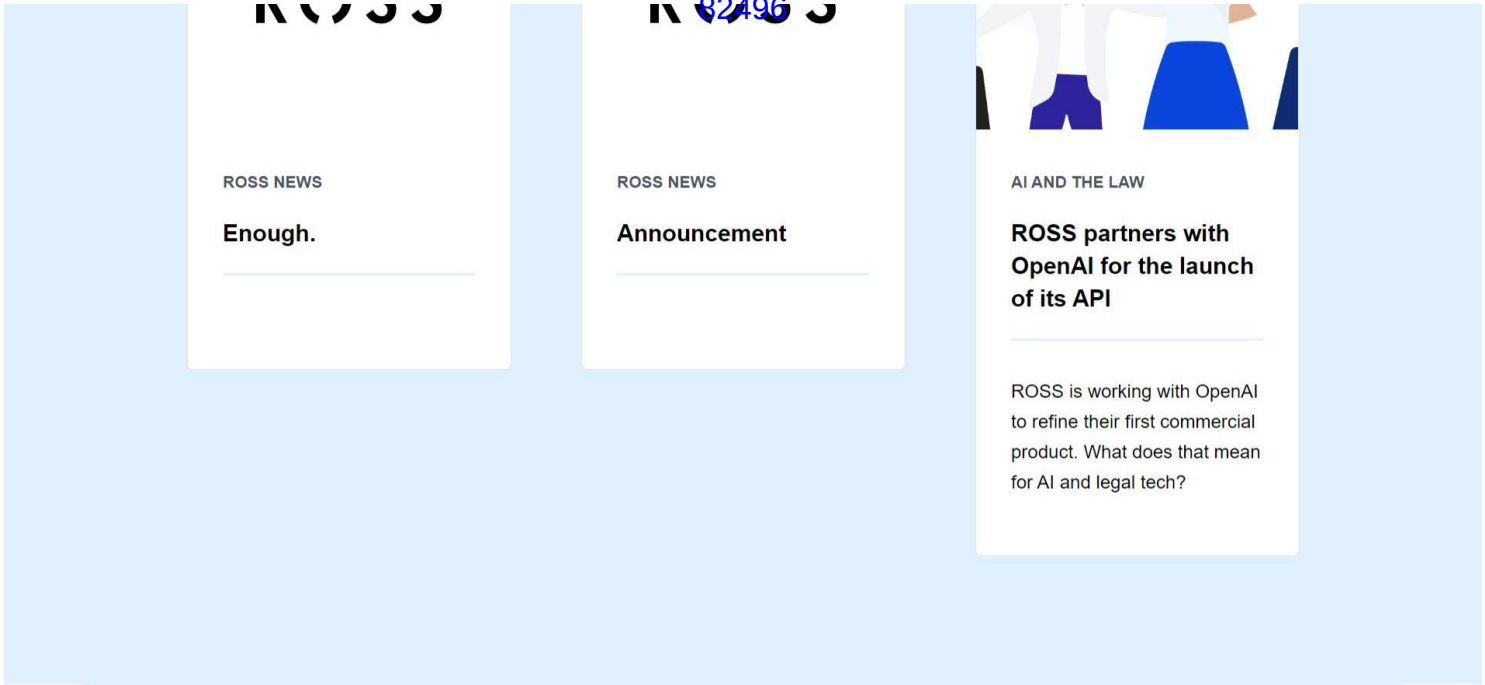
It's an enormous win when lawyers can use their familiar speaking or writing muscles to retrieve authoritative decisions quickly, comprehensively, and accurately. When NLP is done right, it's a powerful tool for legal research.



Stergios Anastasiadis
Stergios is the Head of Engineering at ROSS. 25 years in the tech industry, angel investor and wants to make the tech startup community a continued success.

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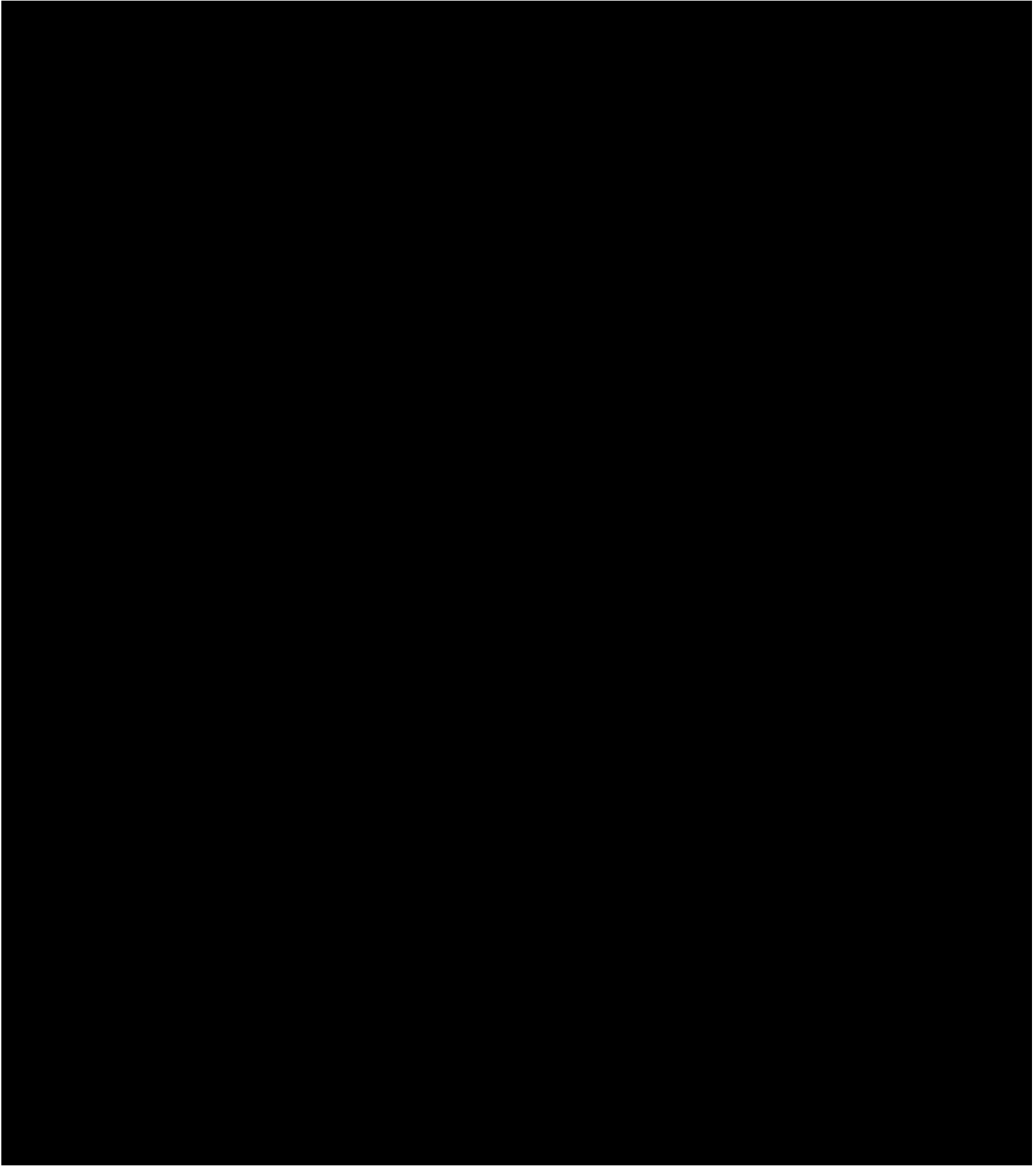
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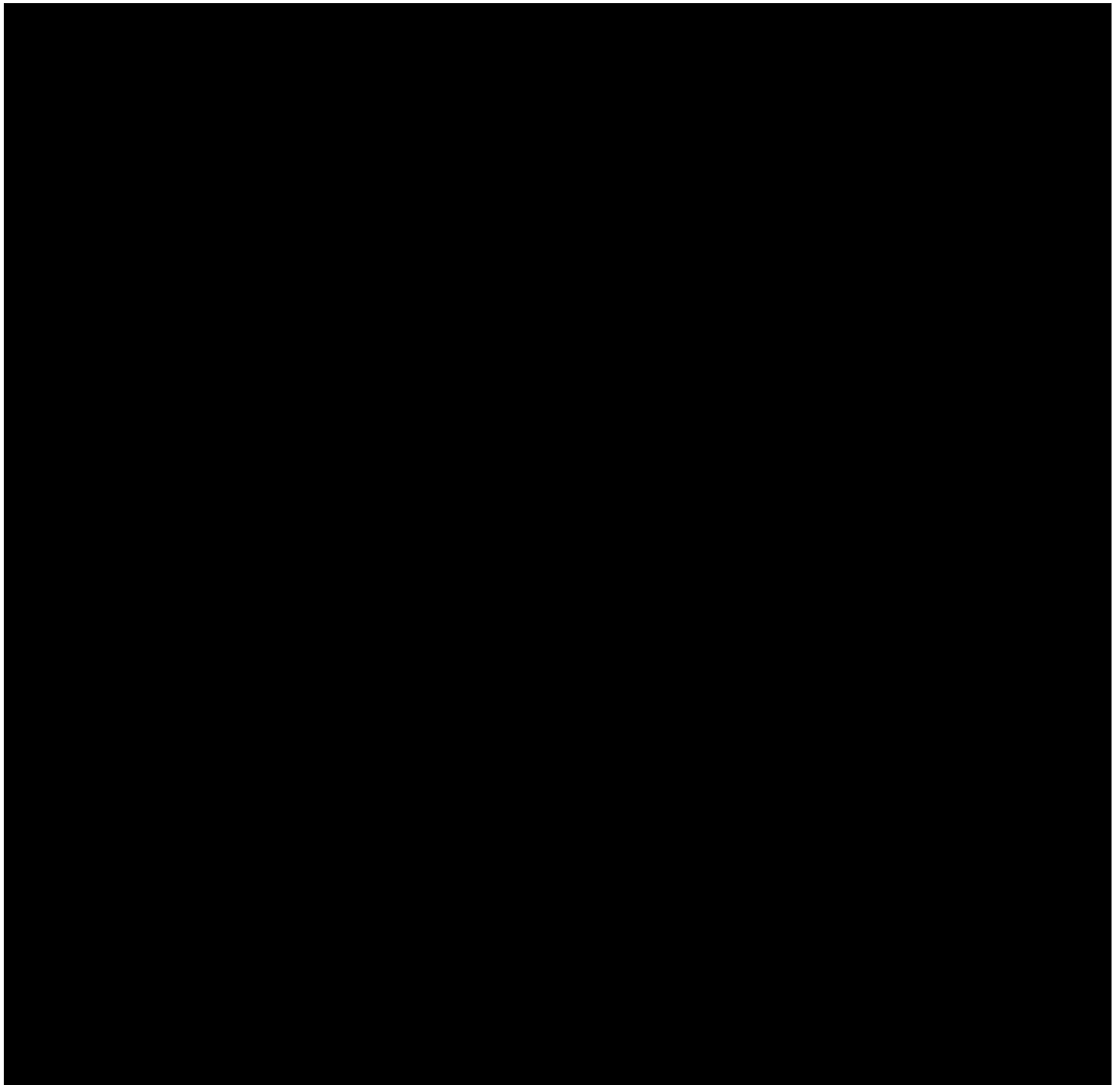


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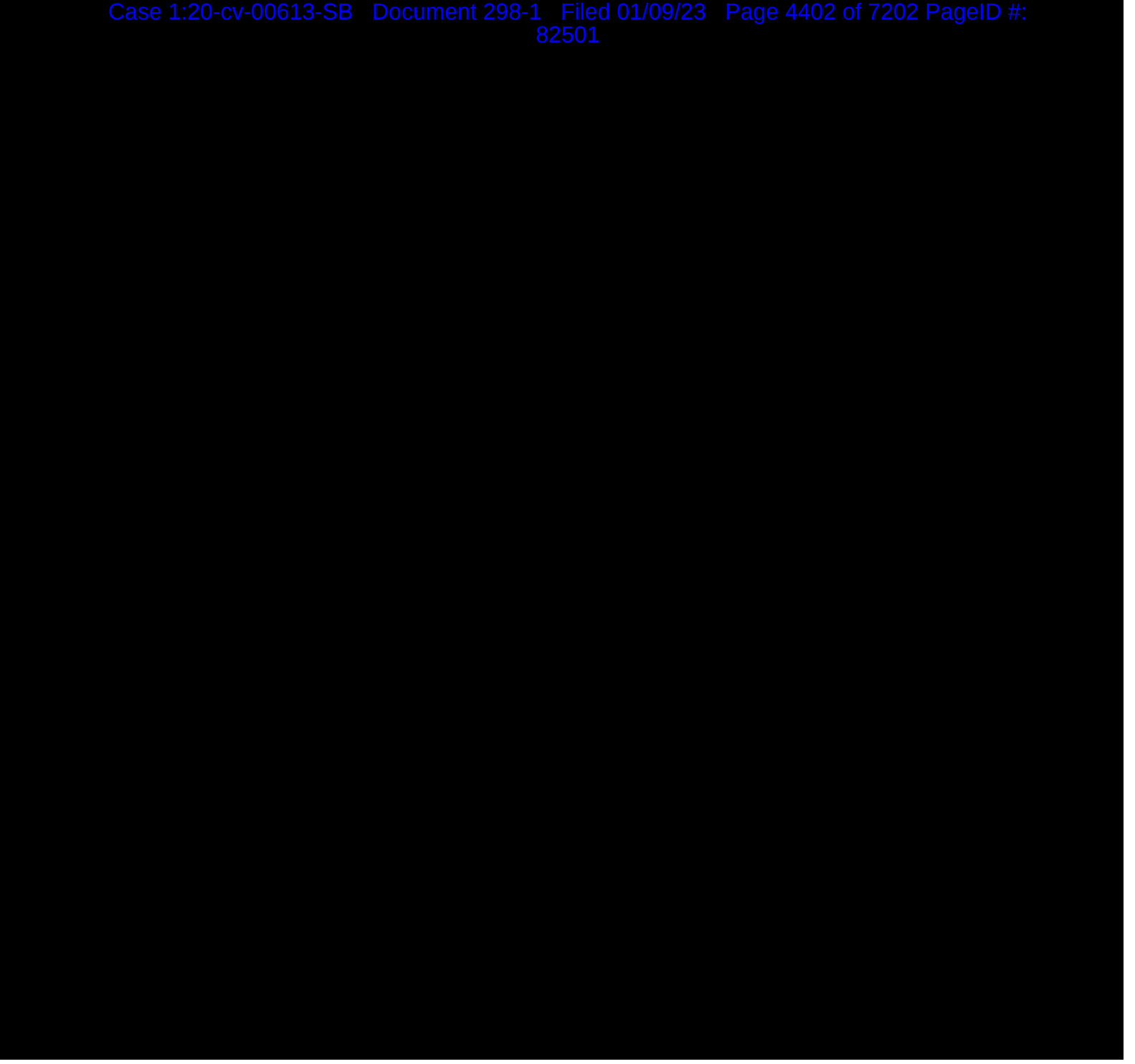
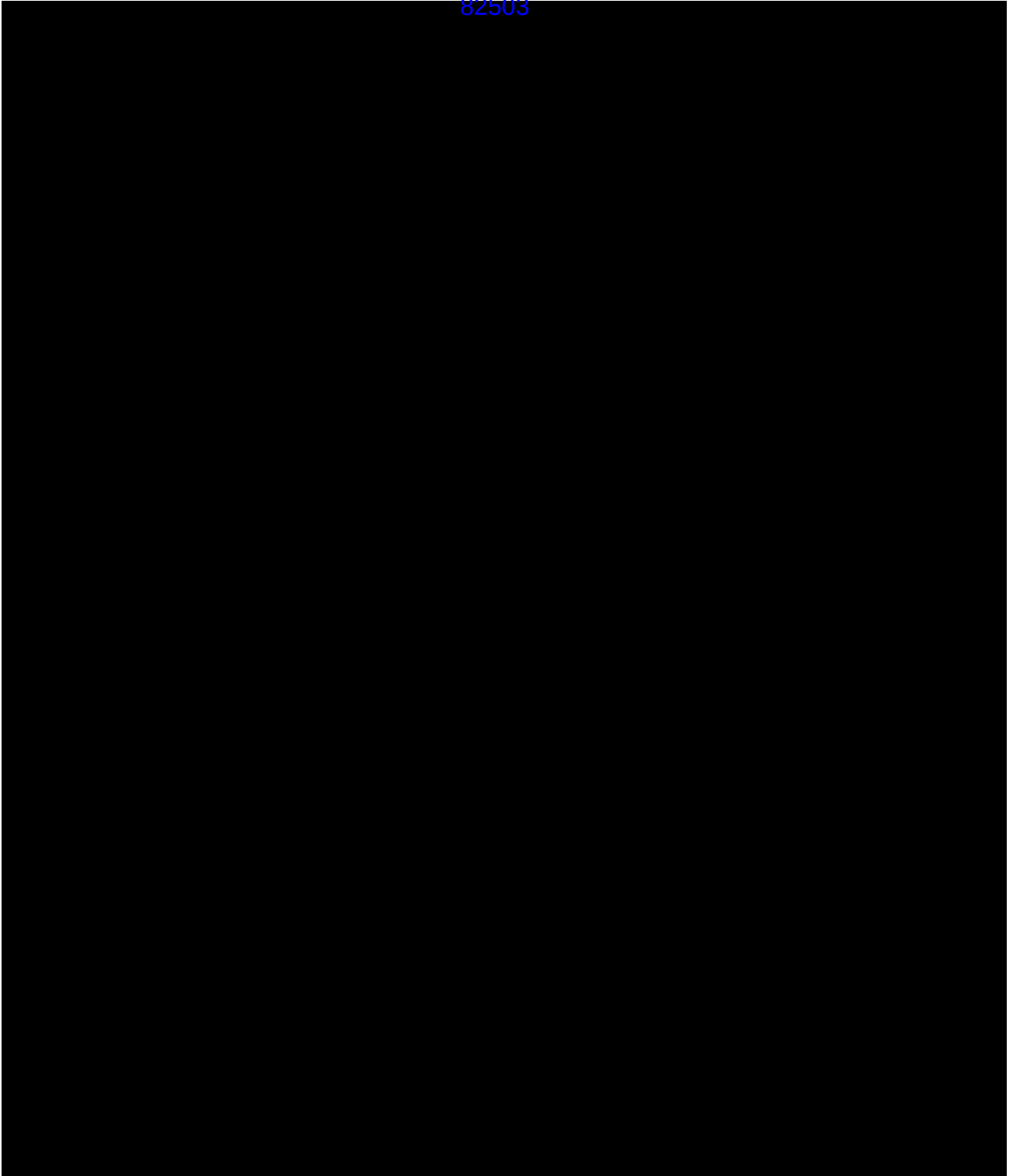
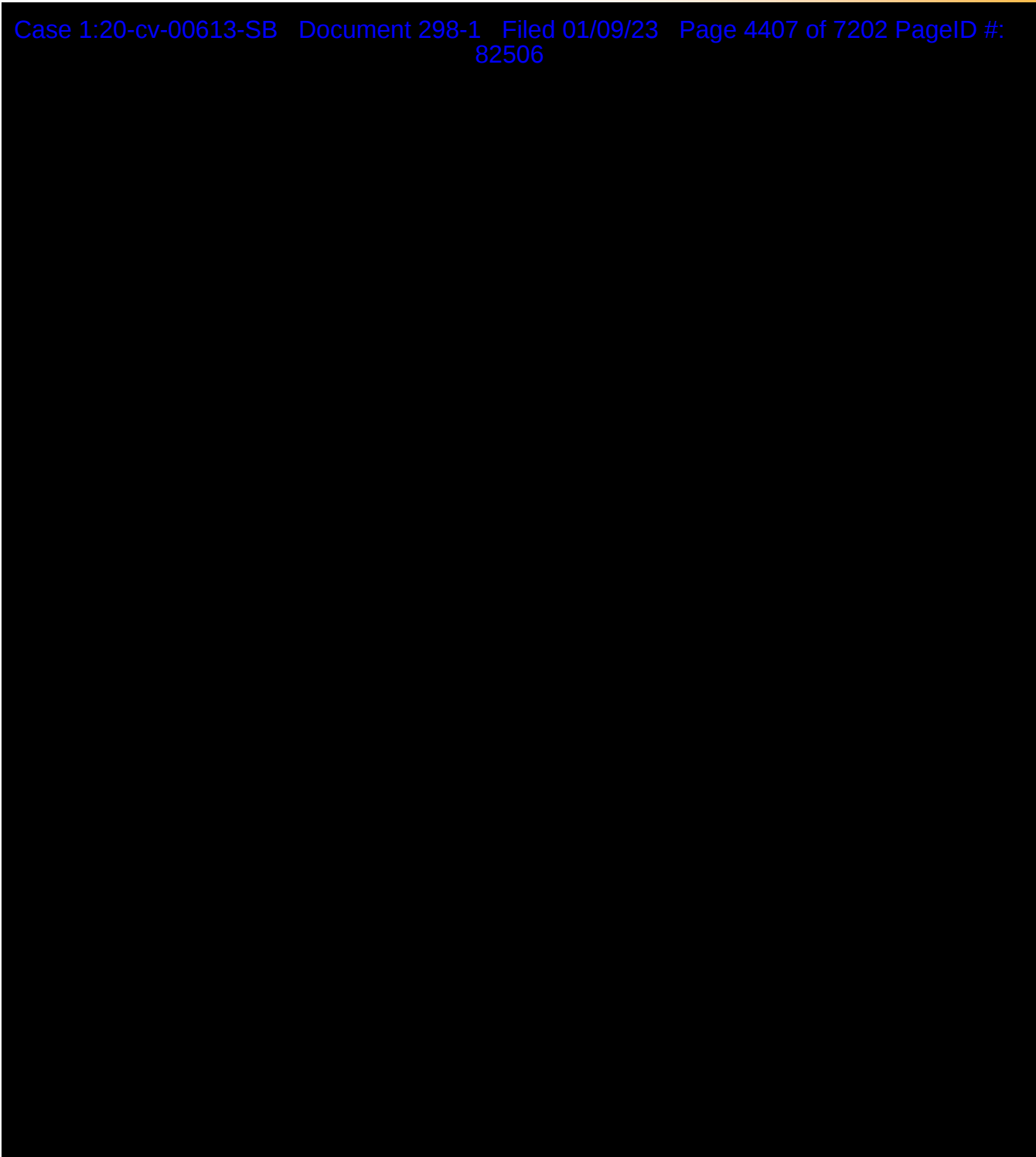
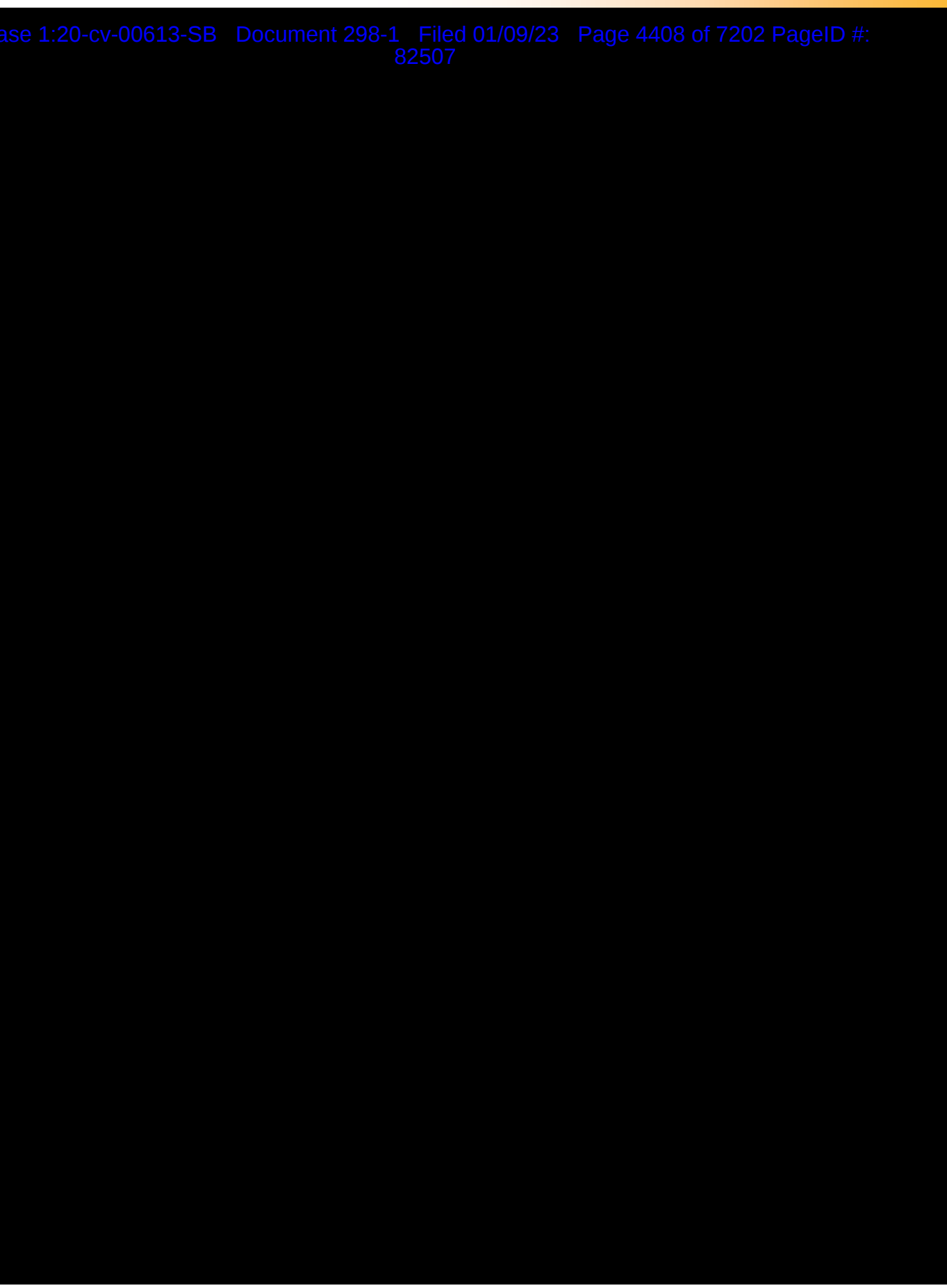
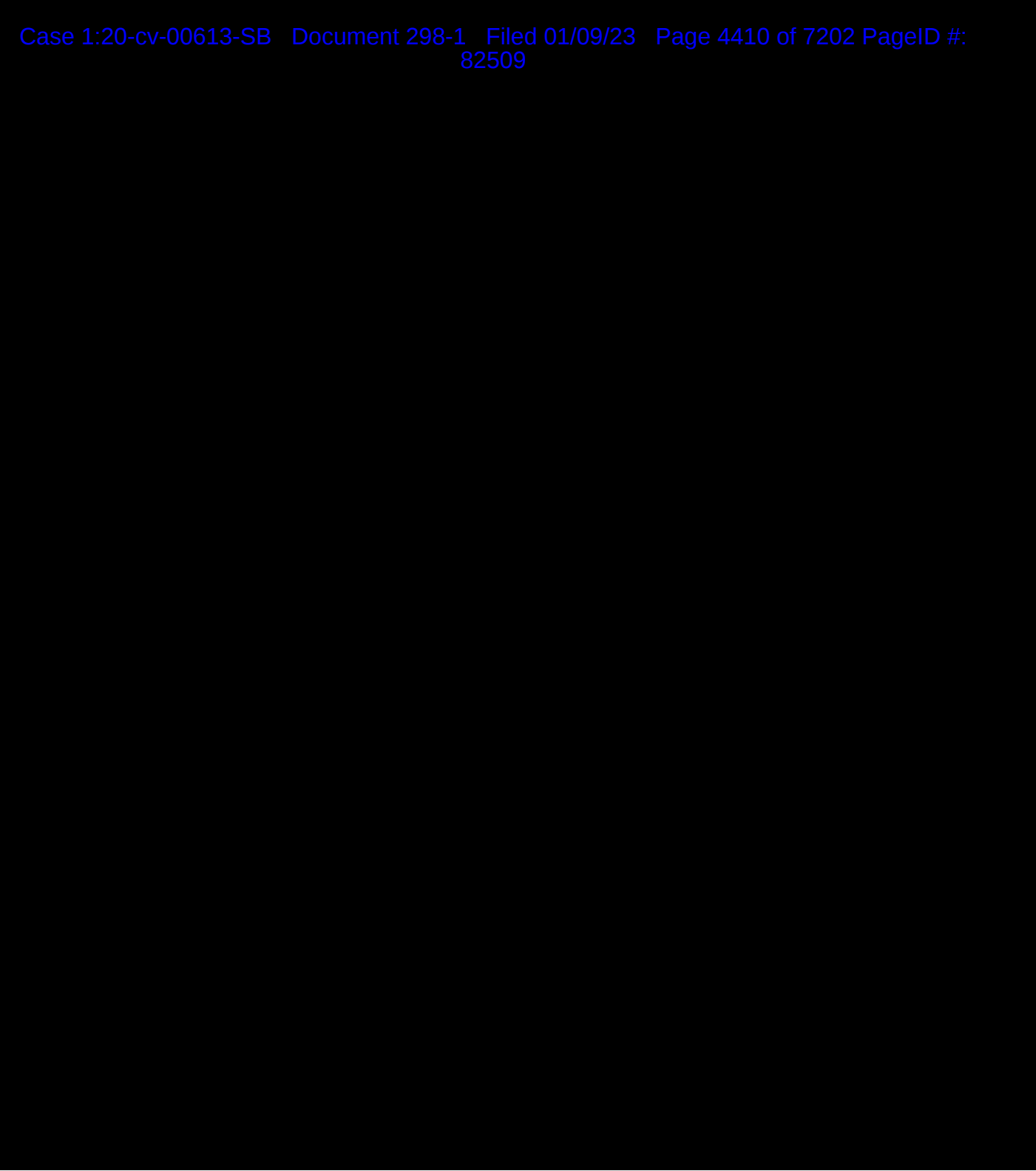


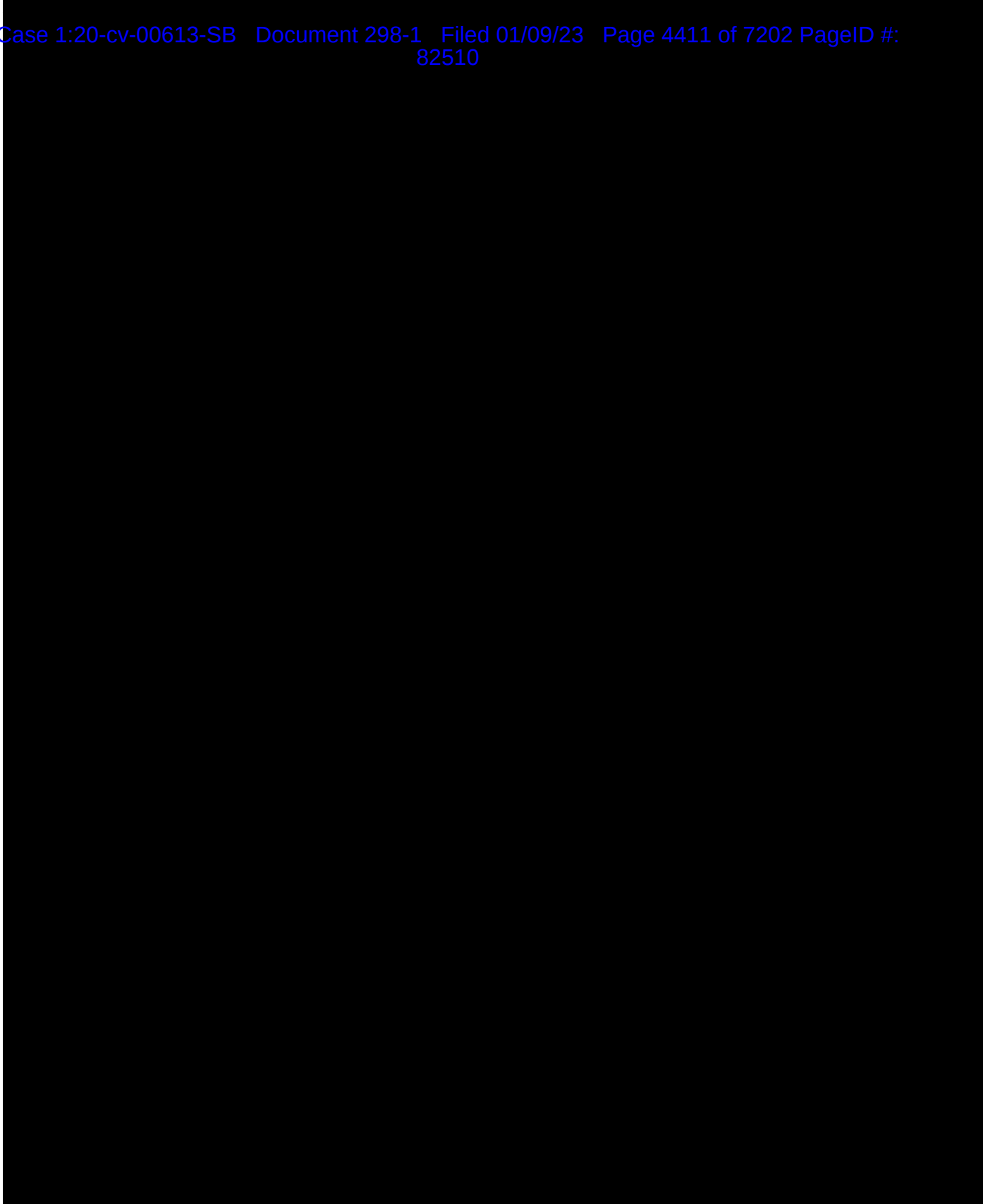
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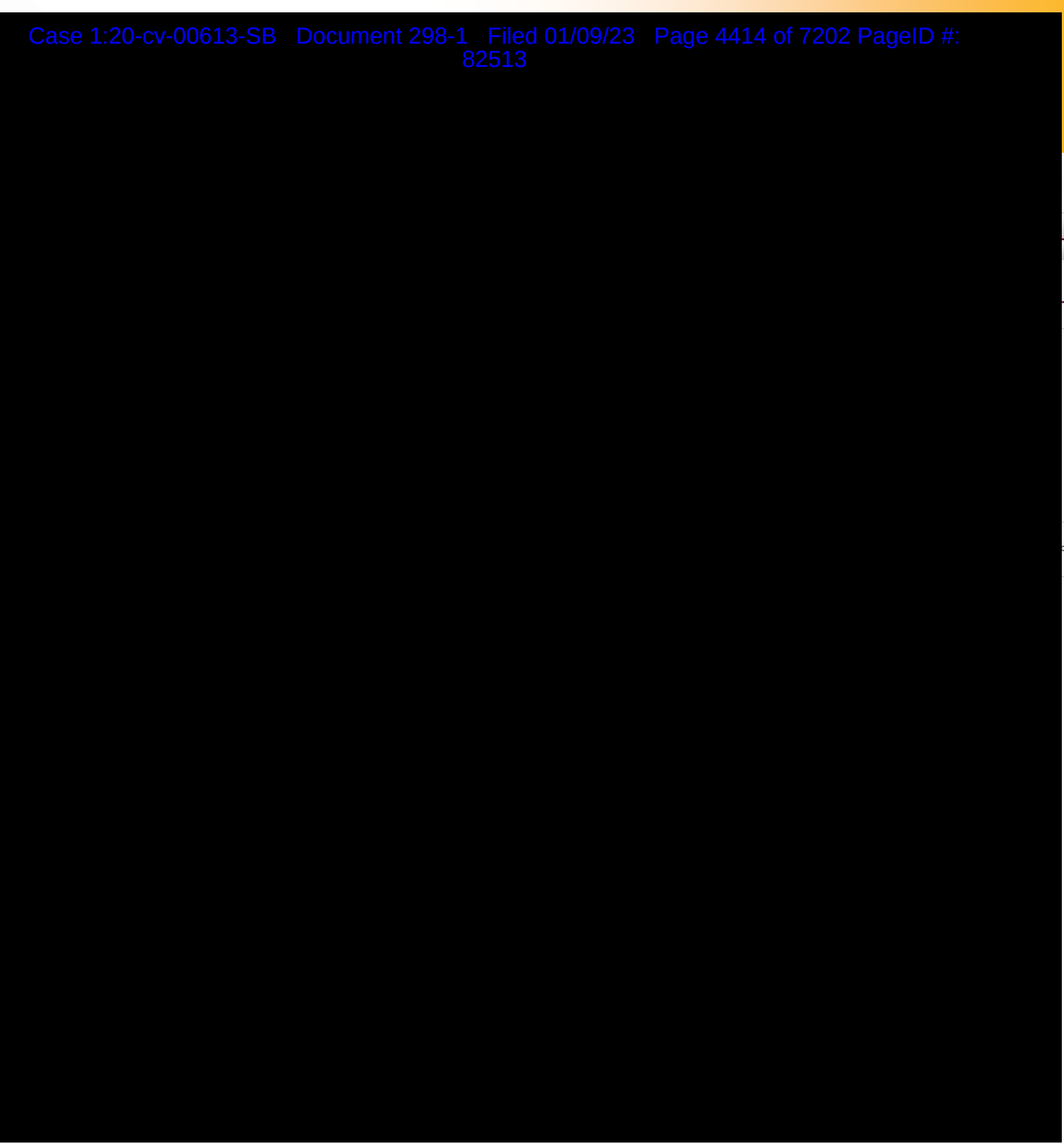


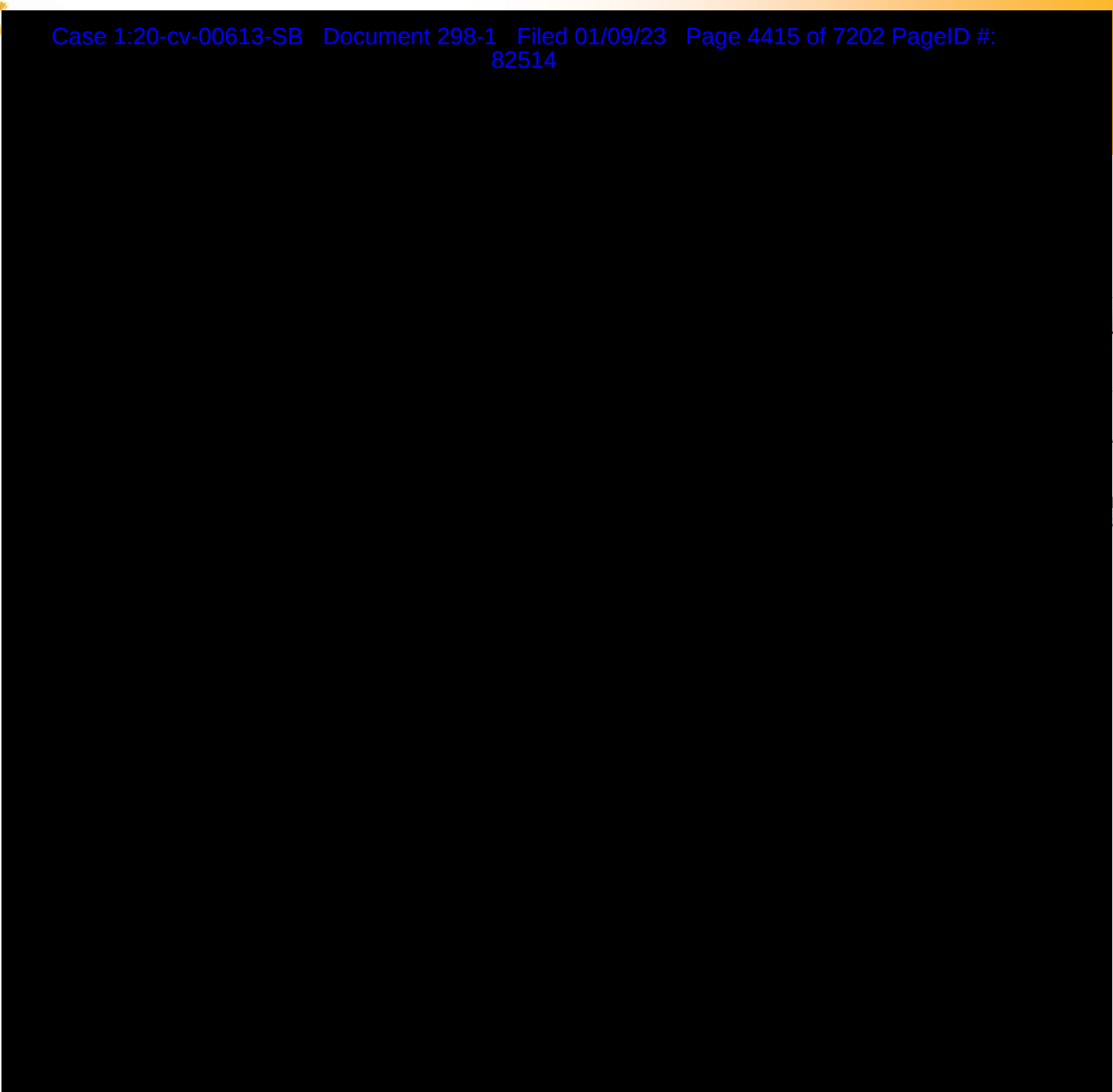


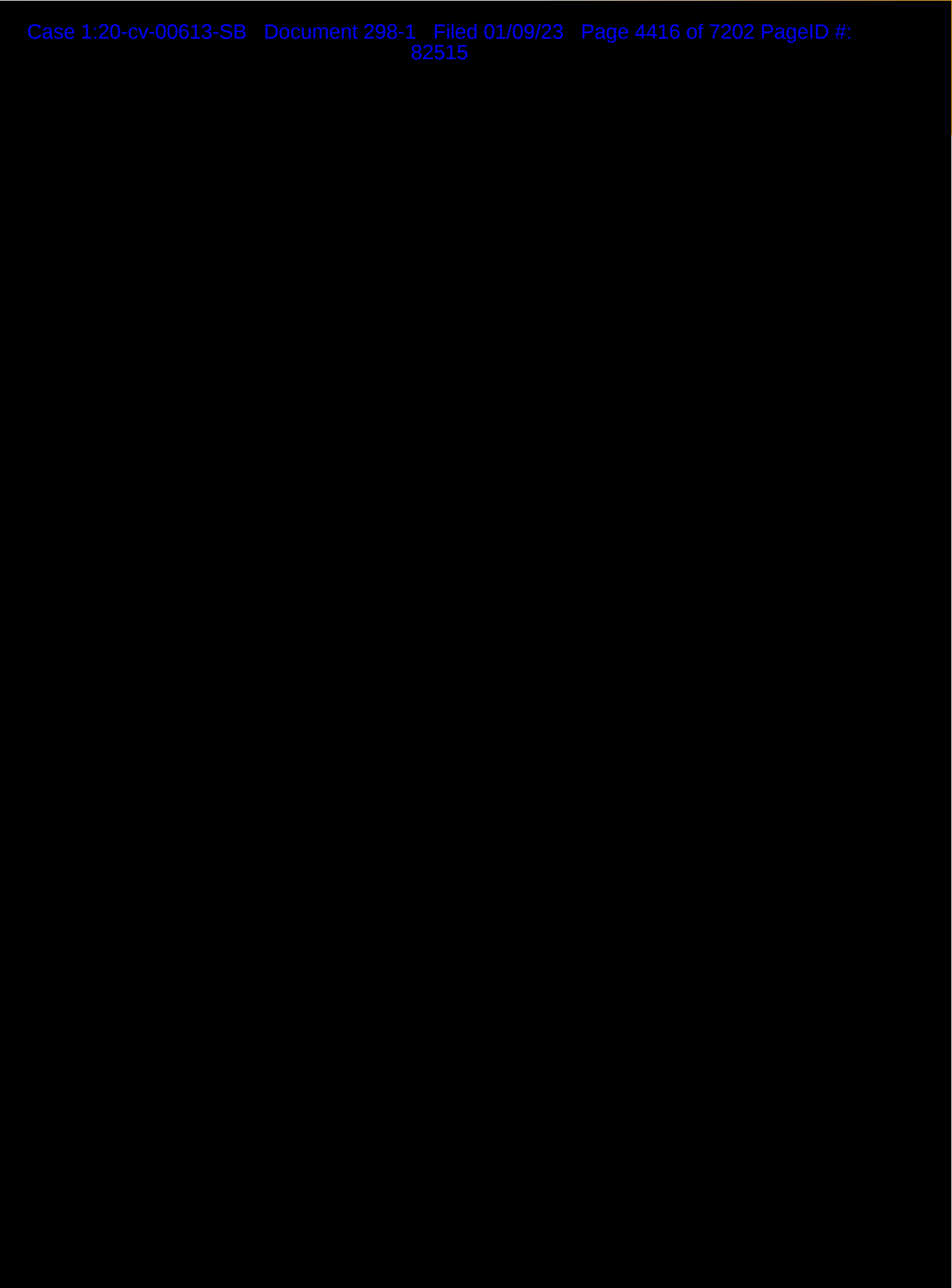












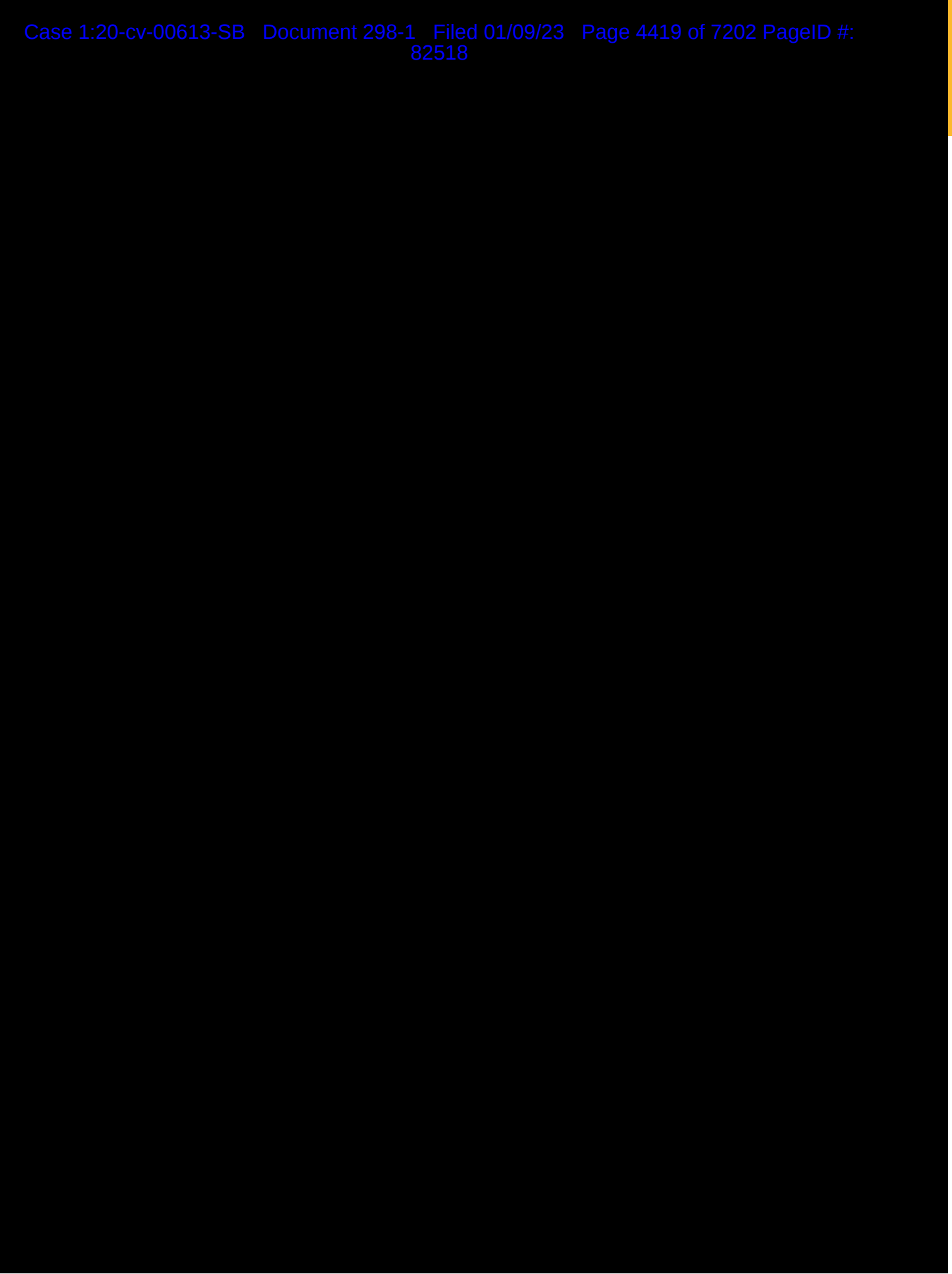
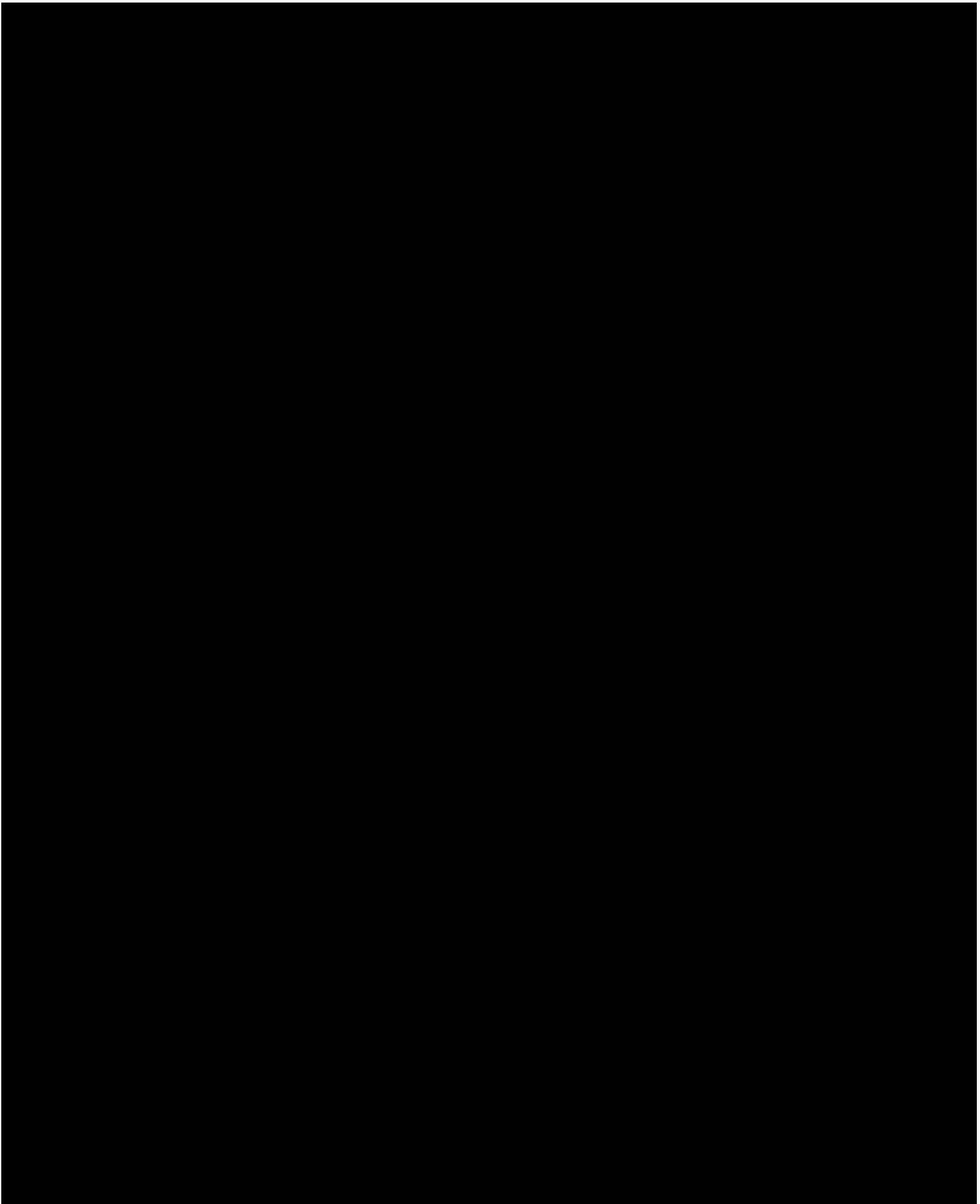
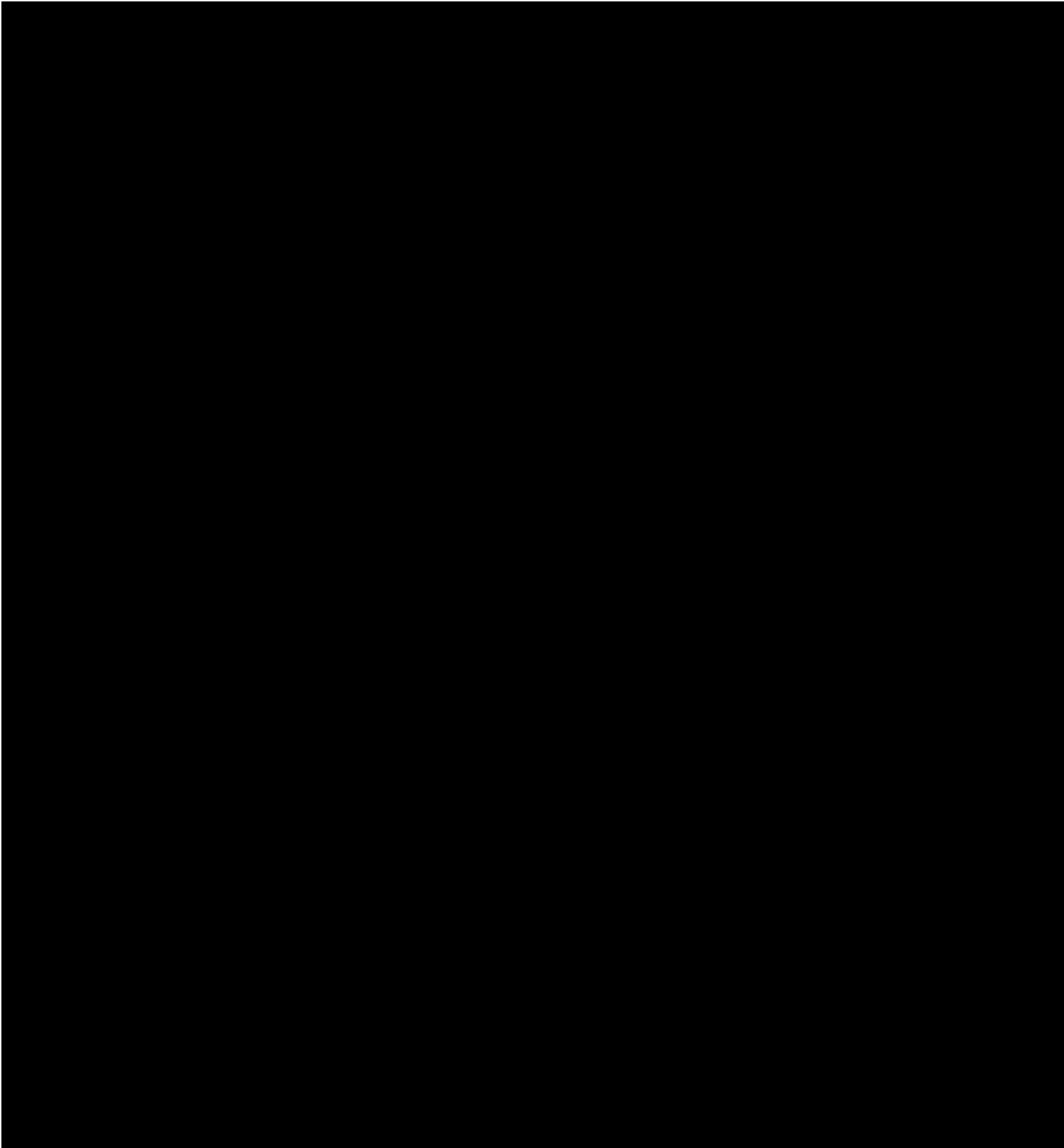
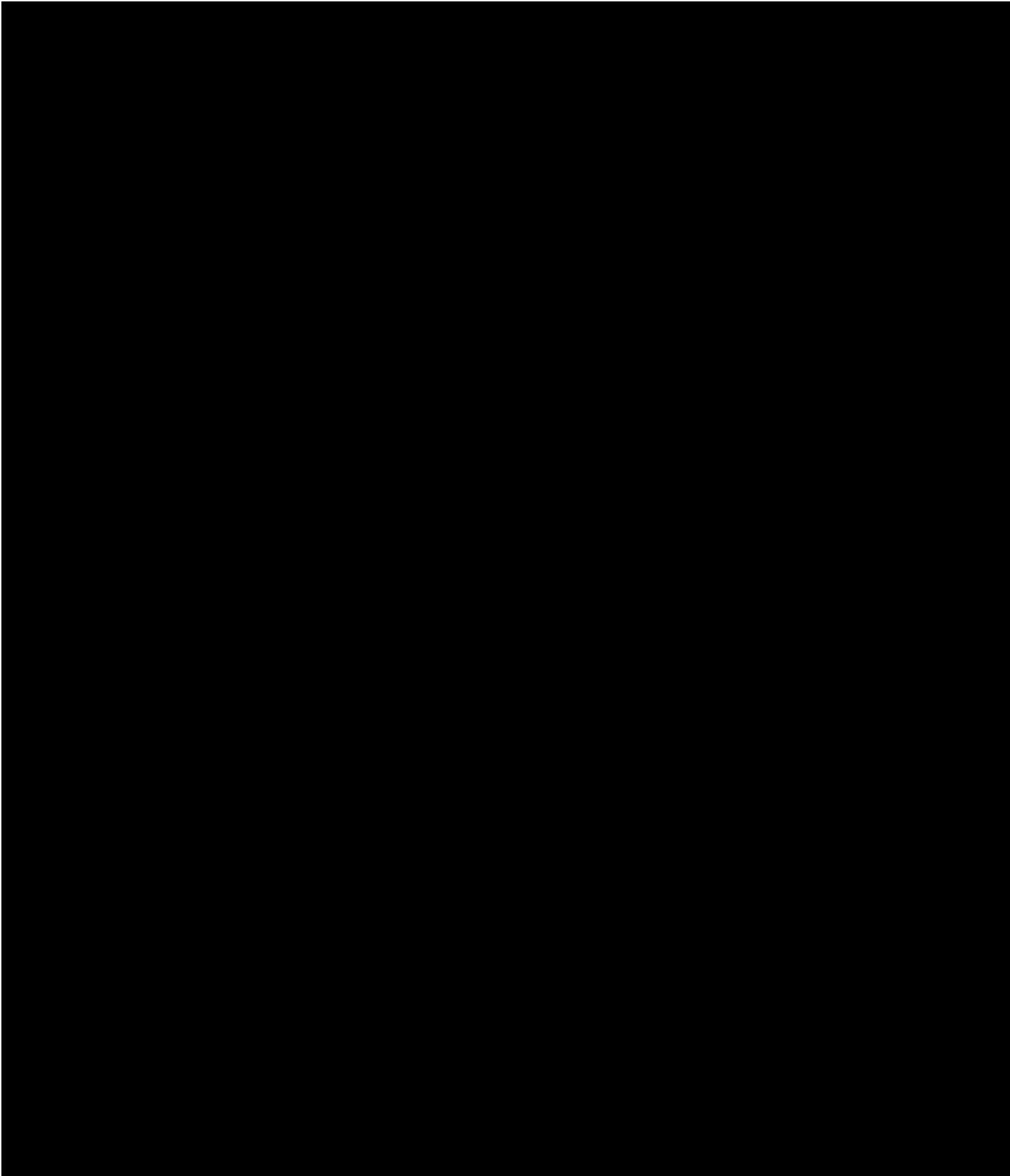
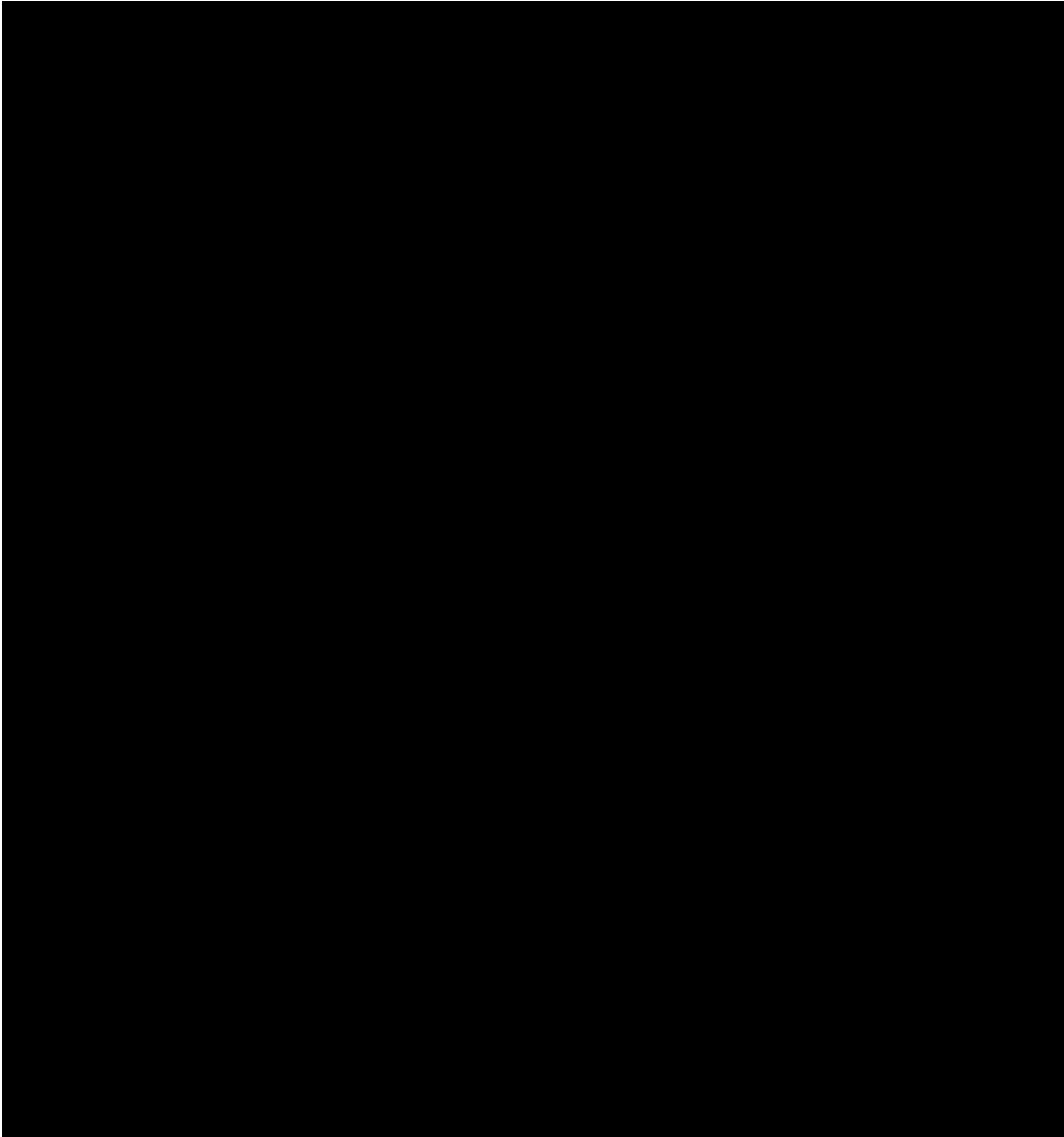


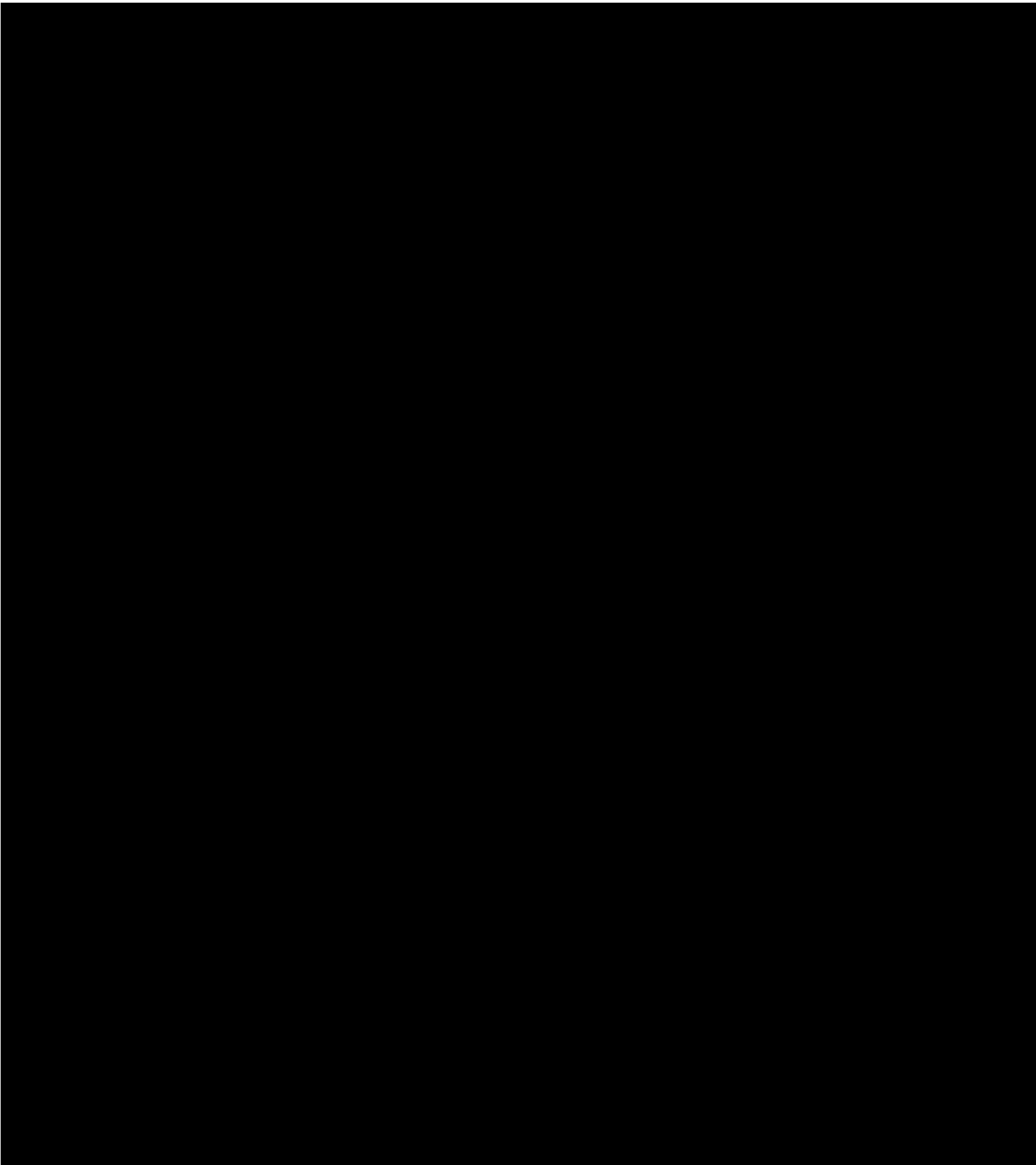
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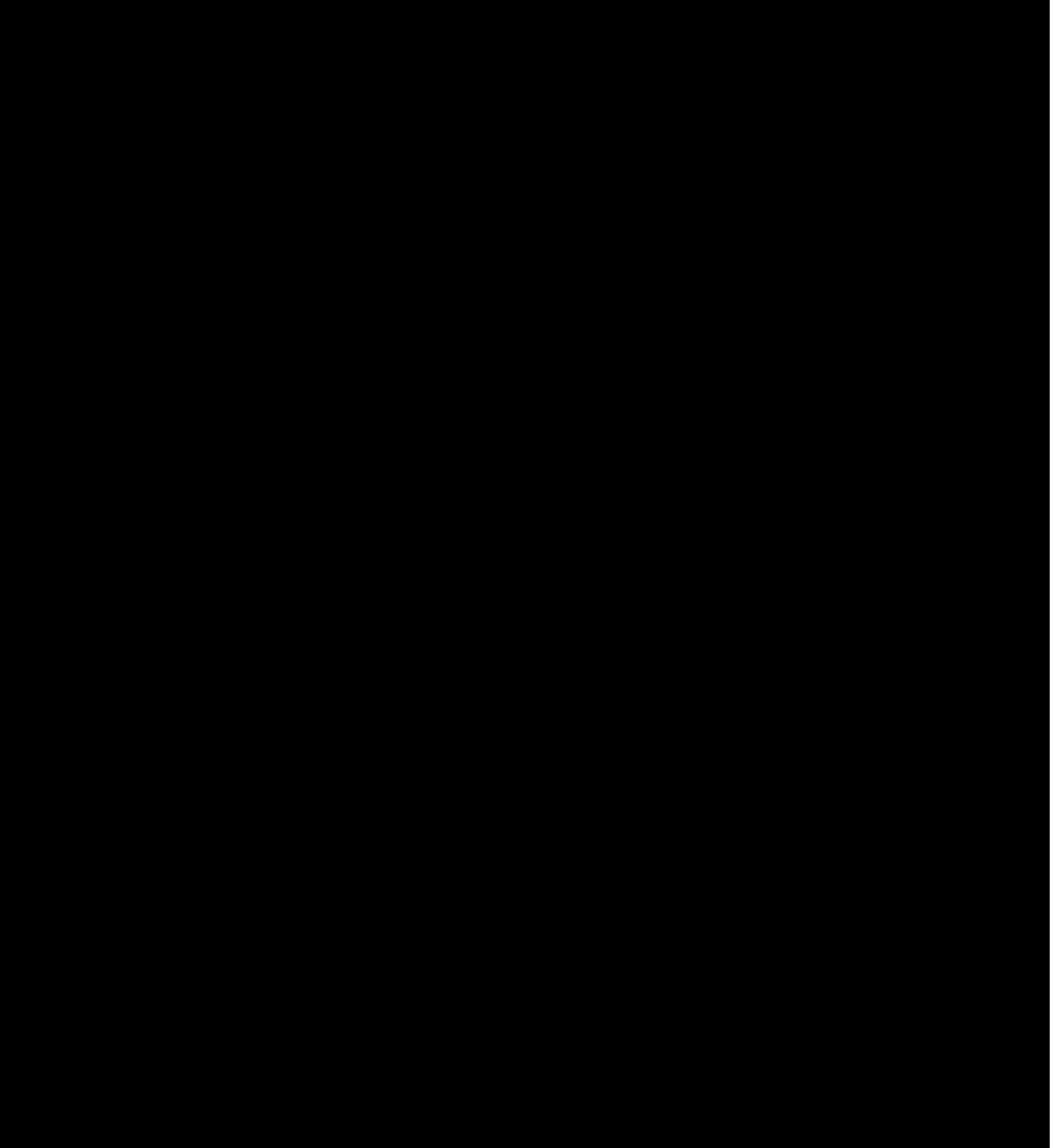


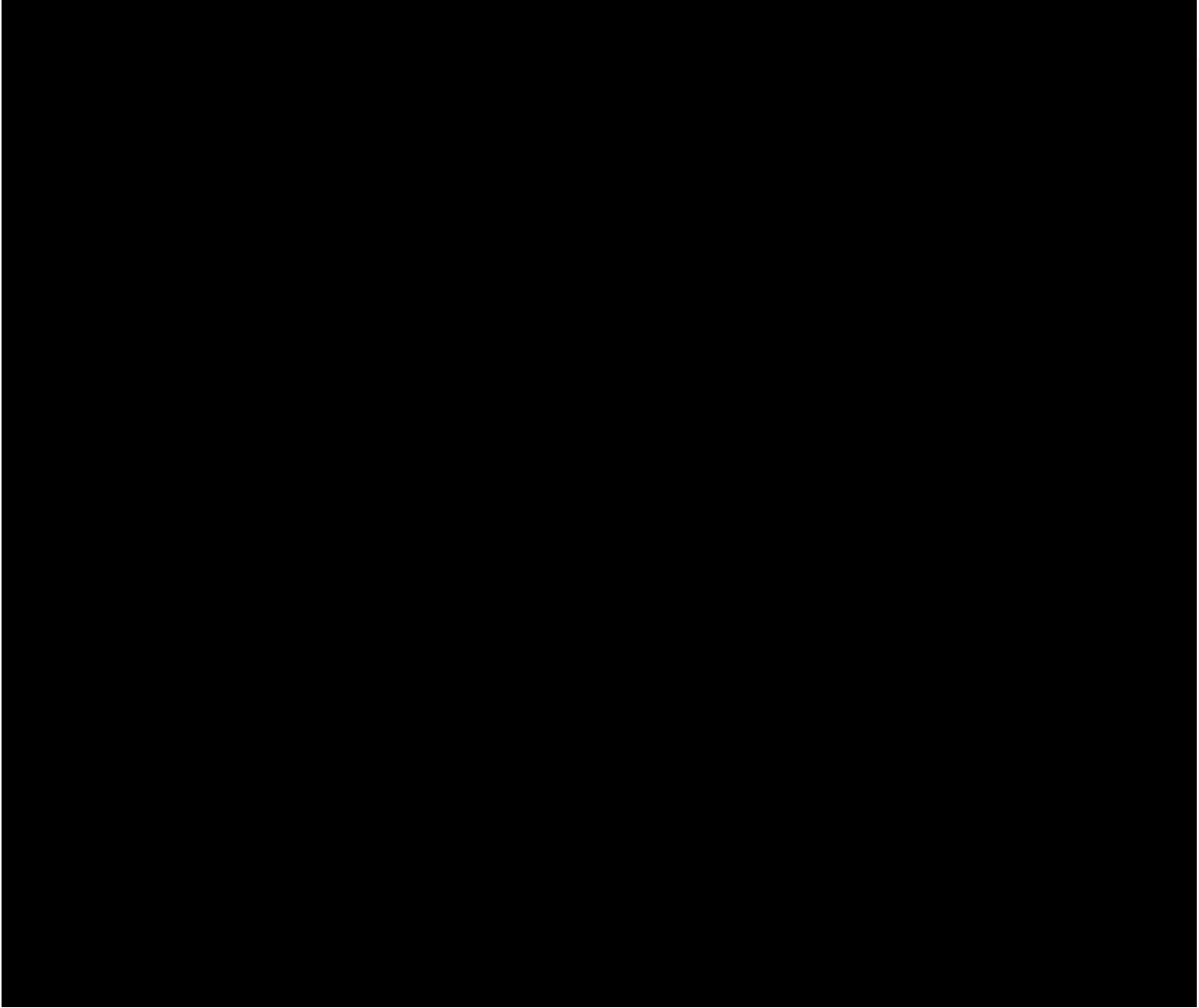


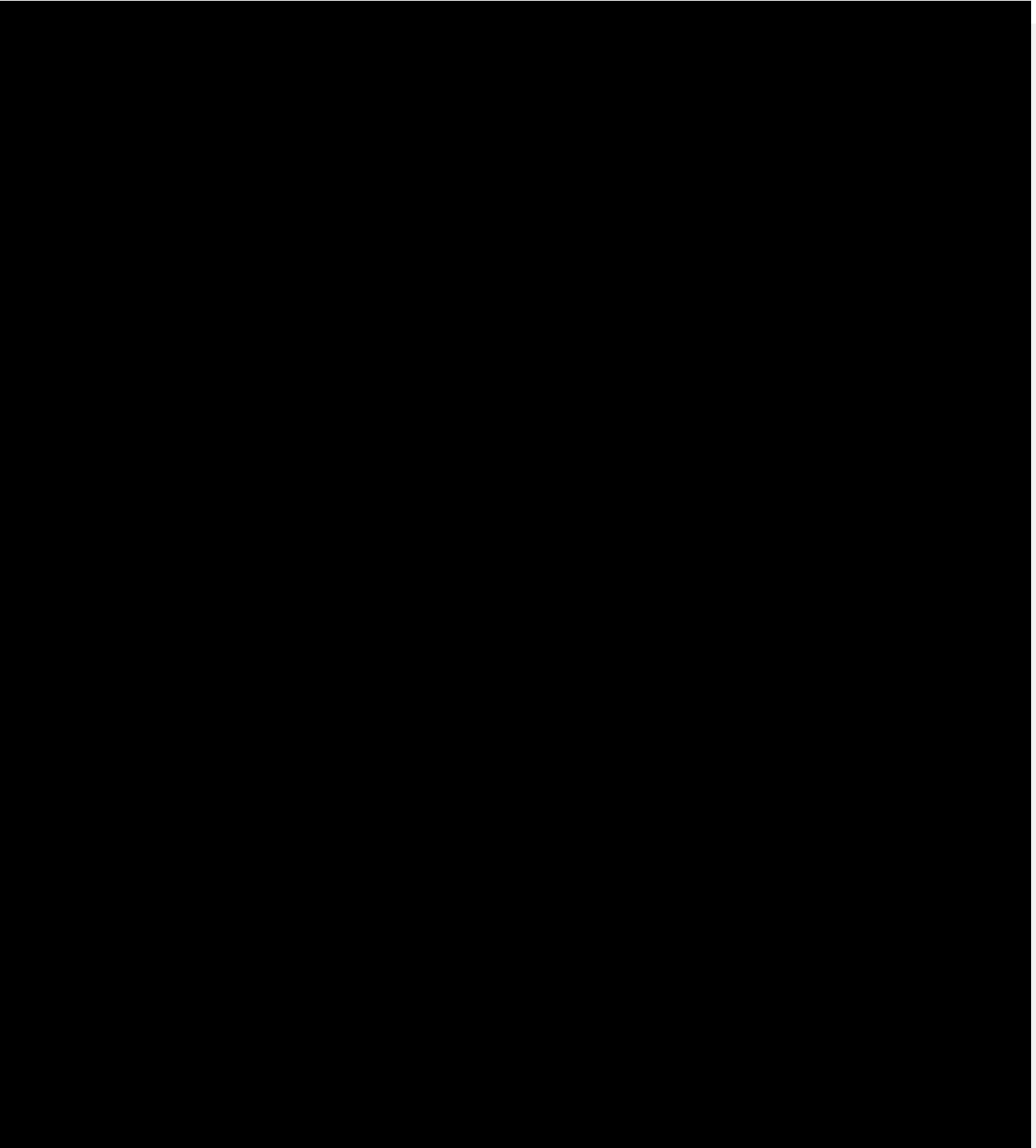












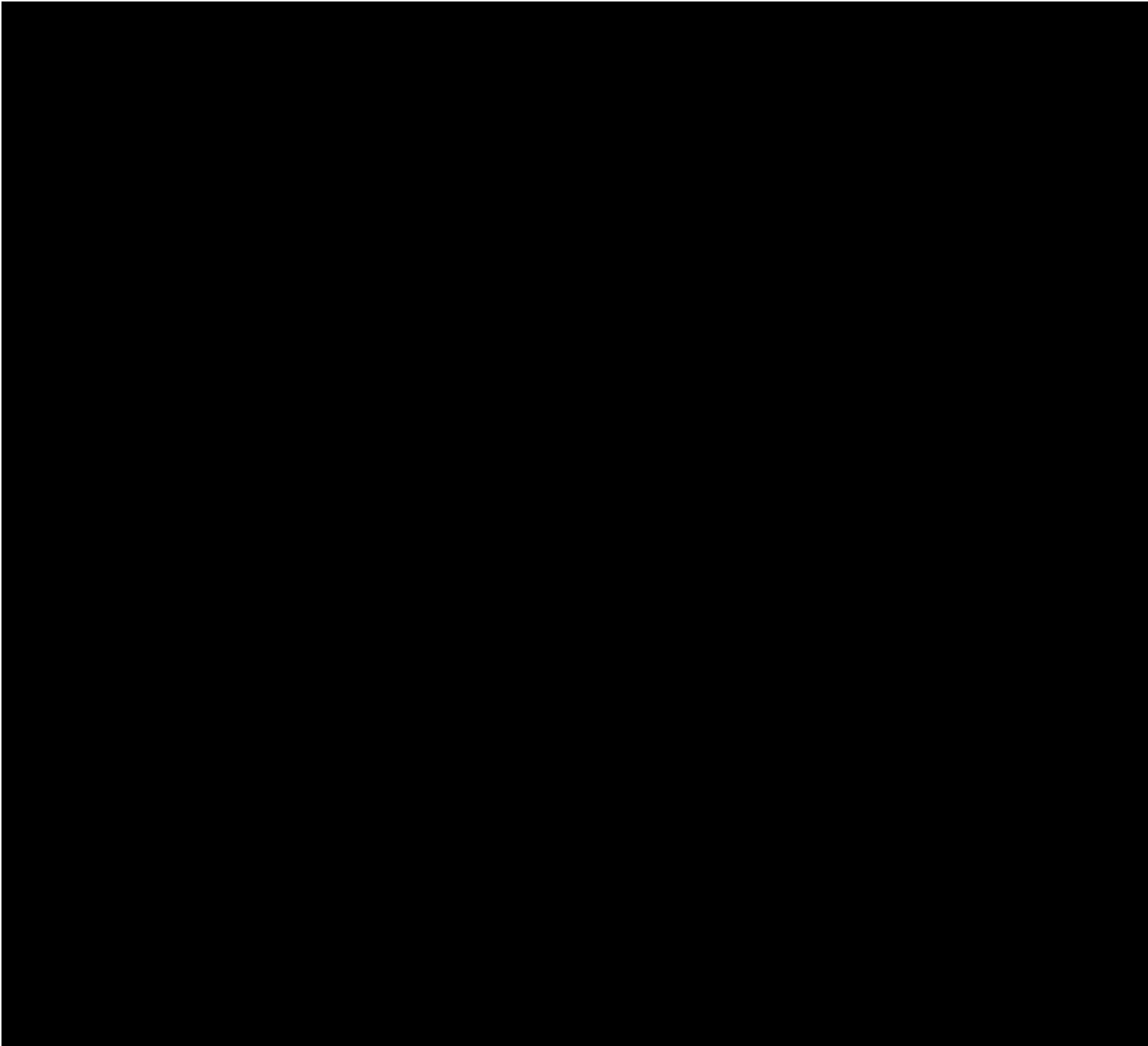


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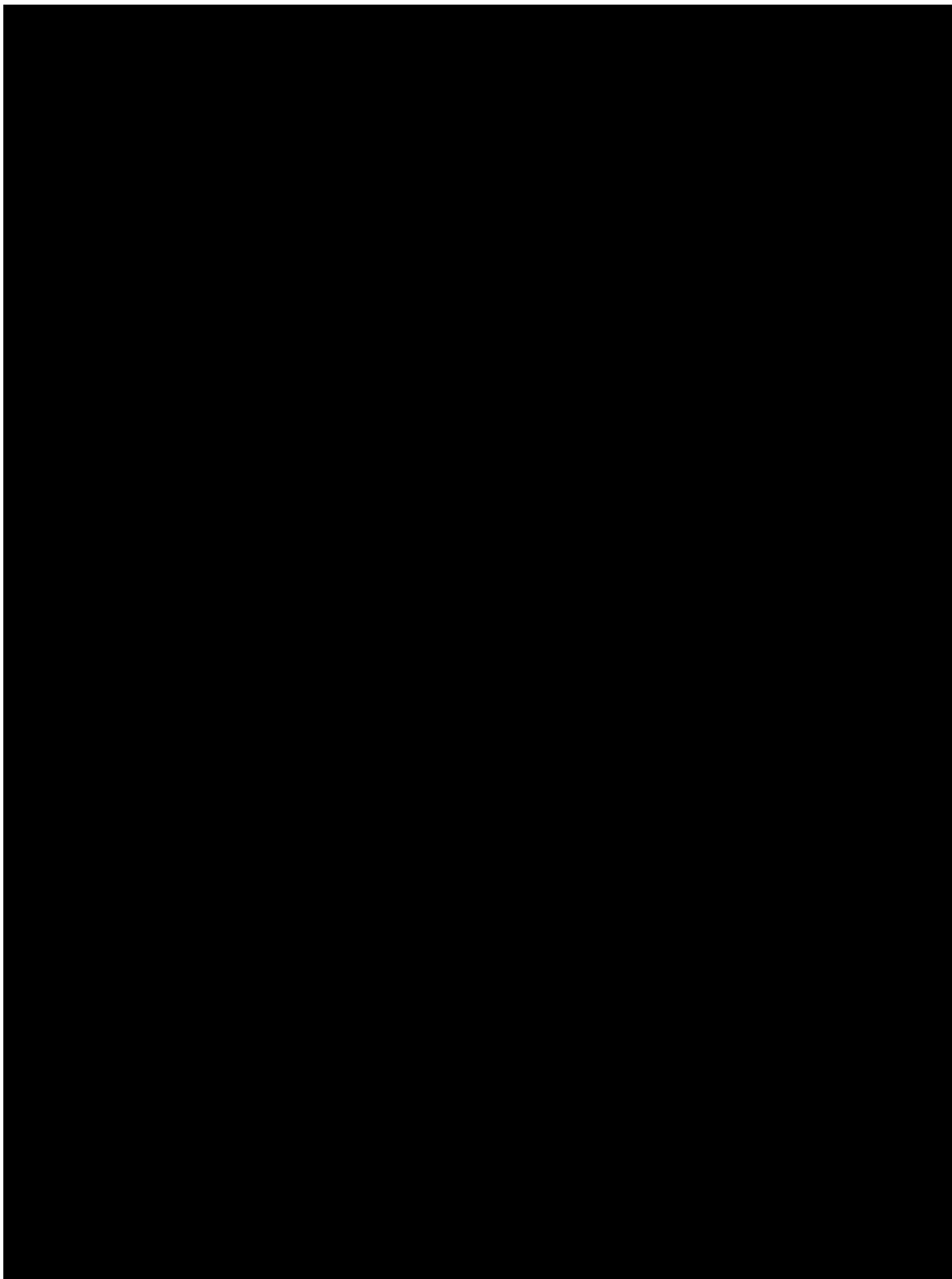
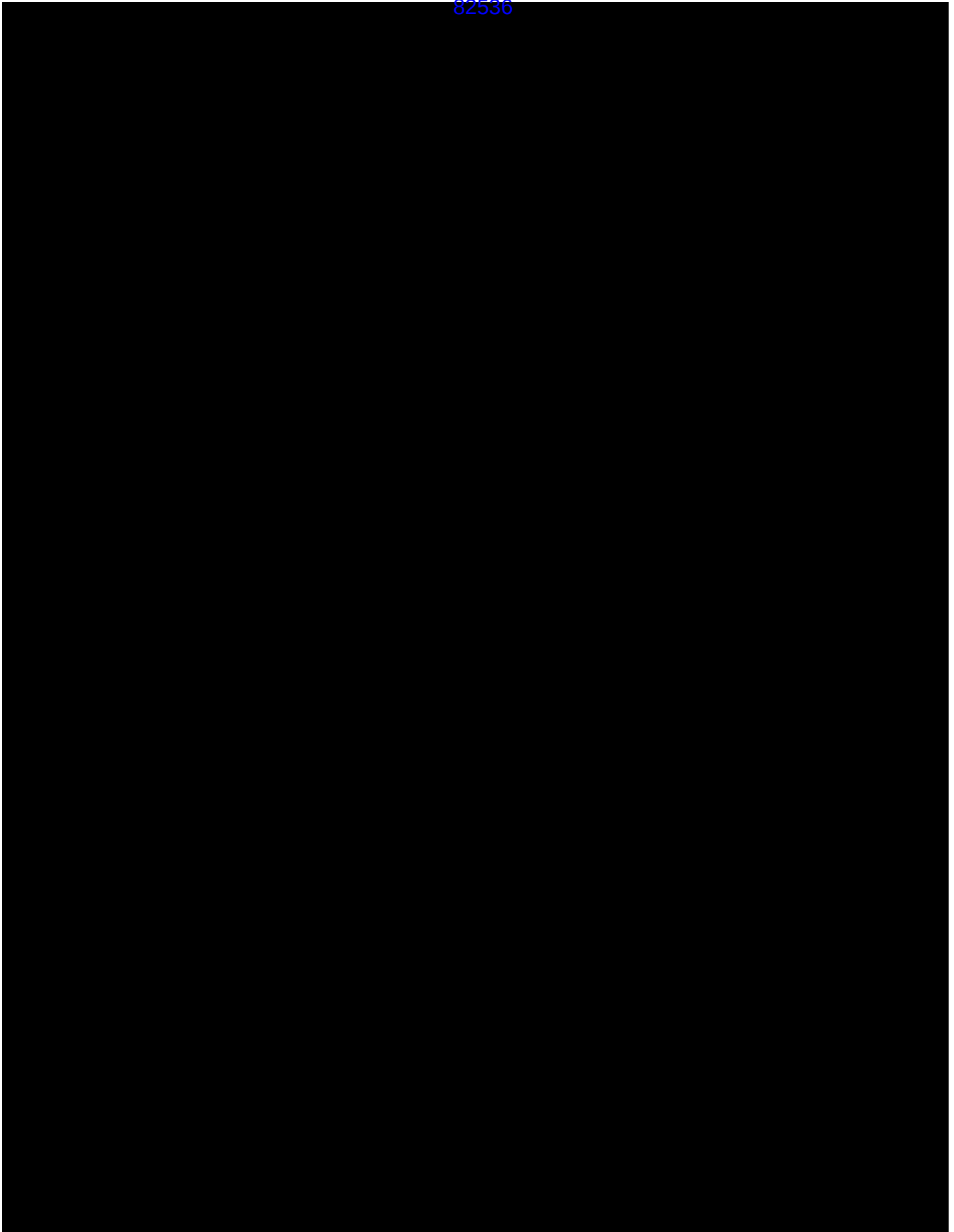
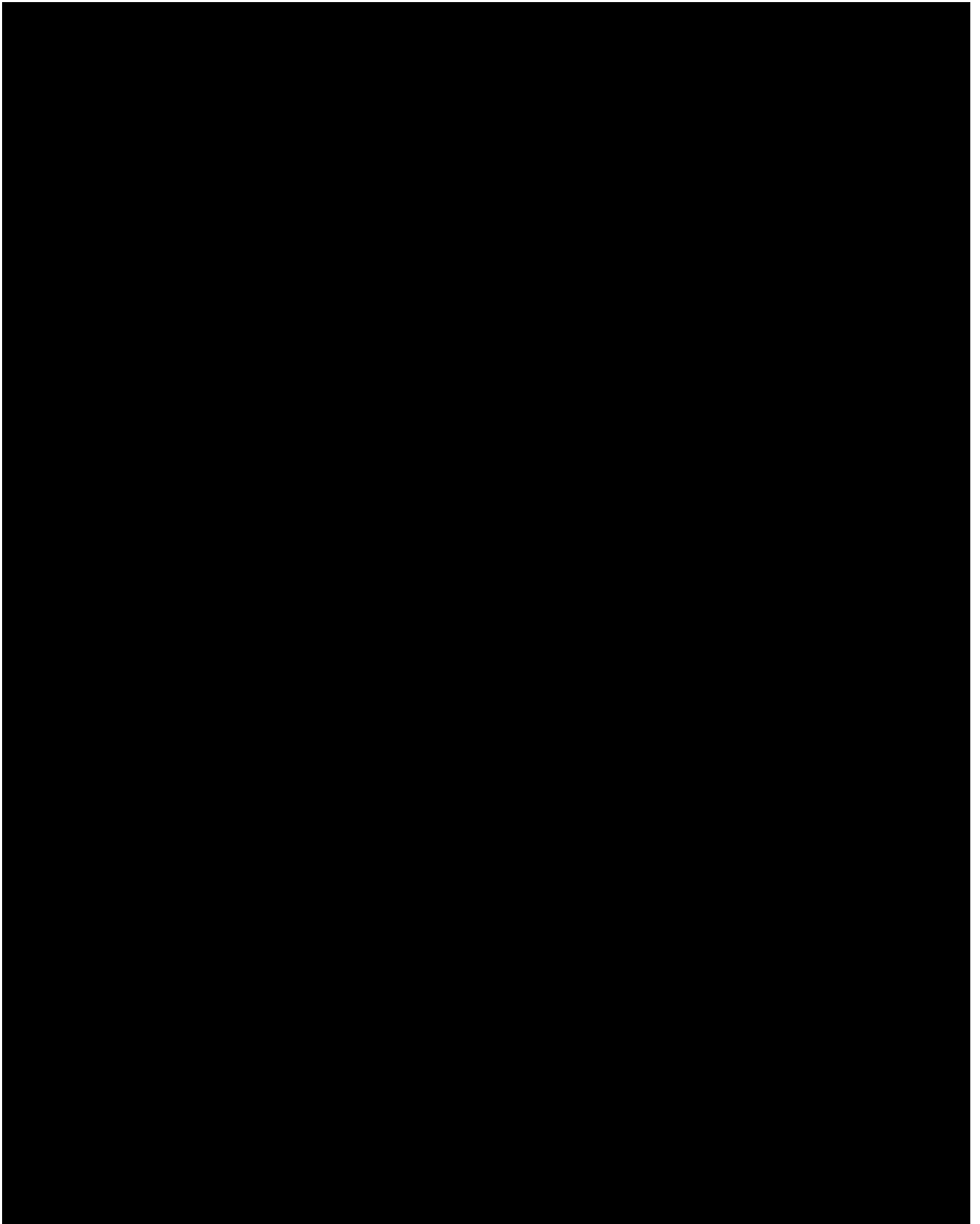
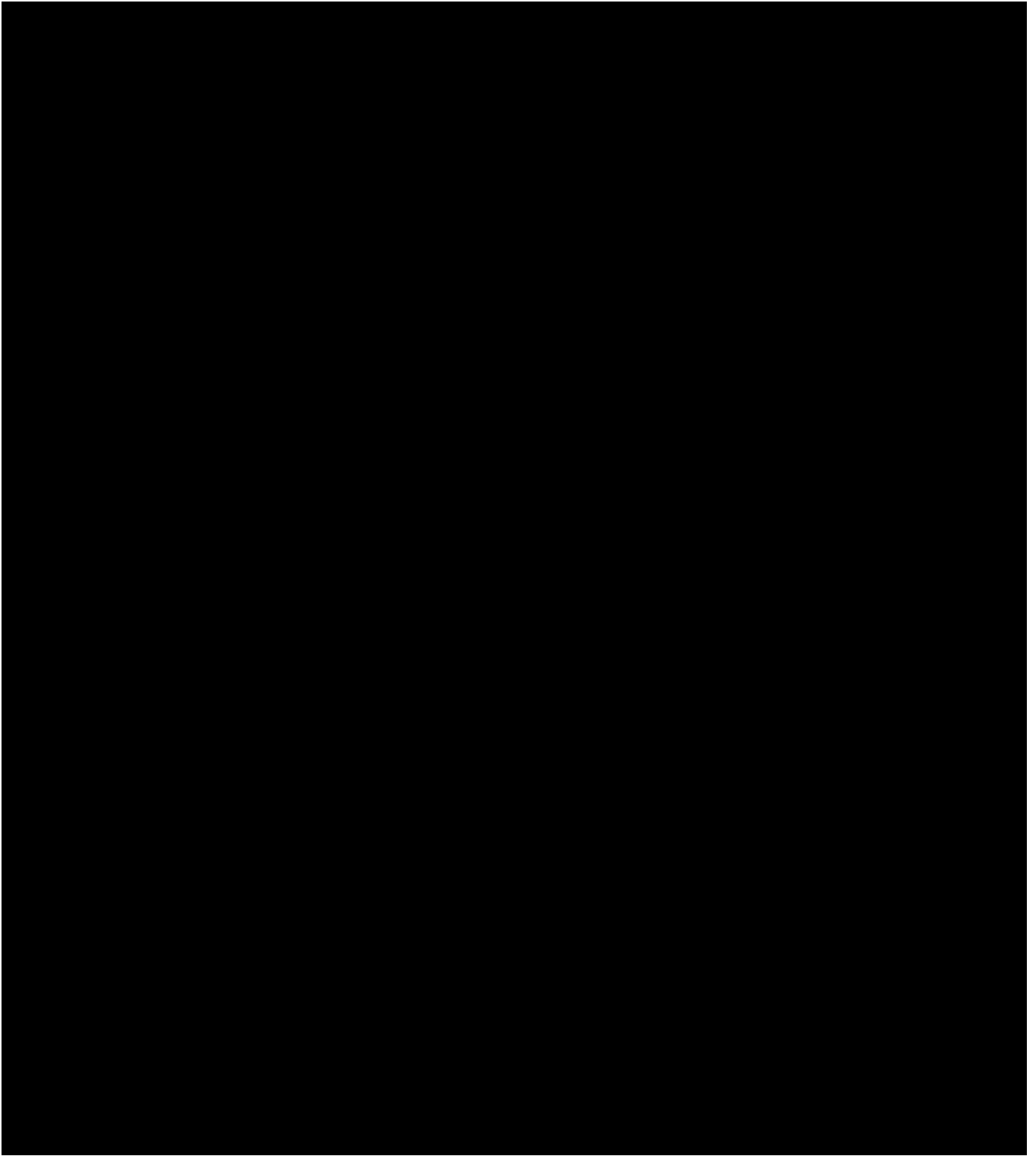


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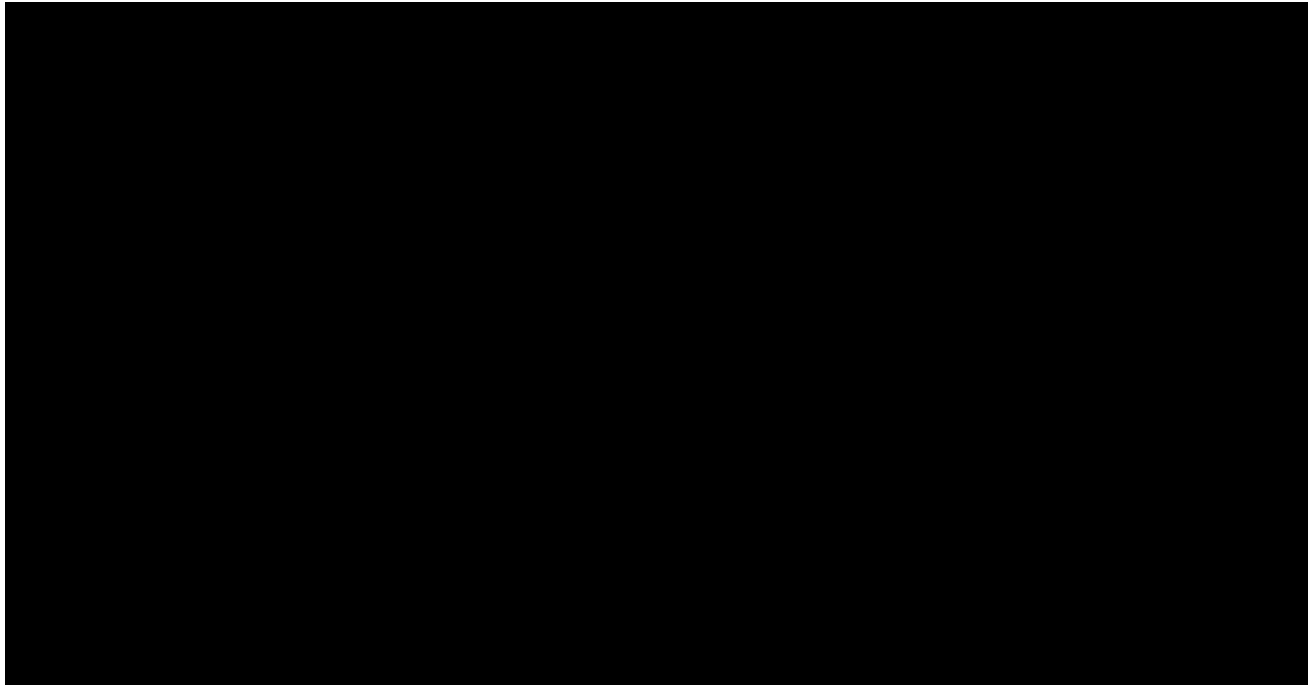
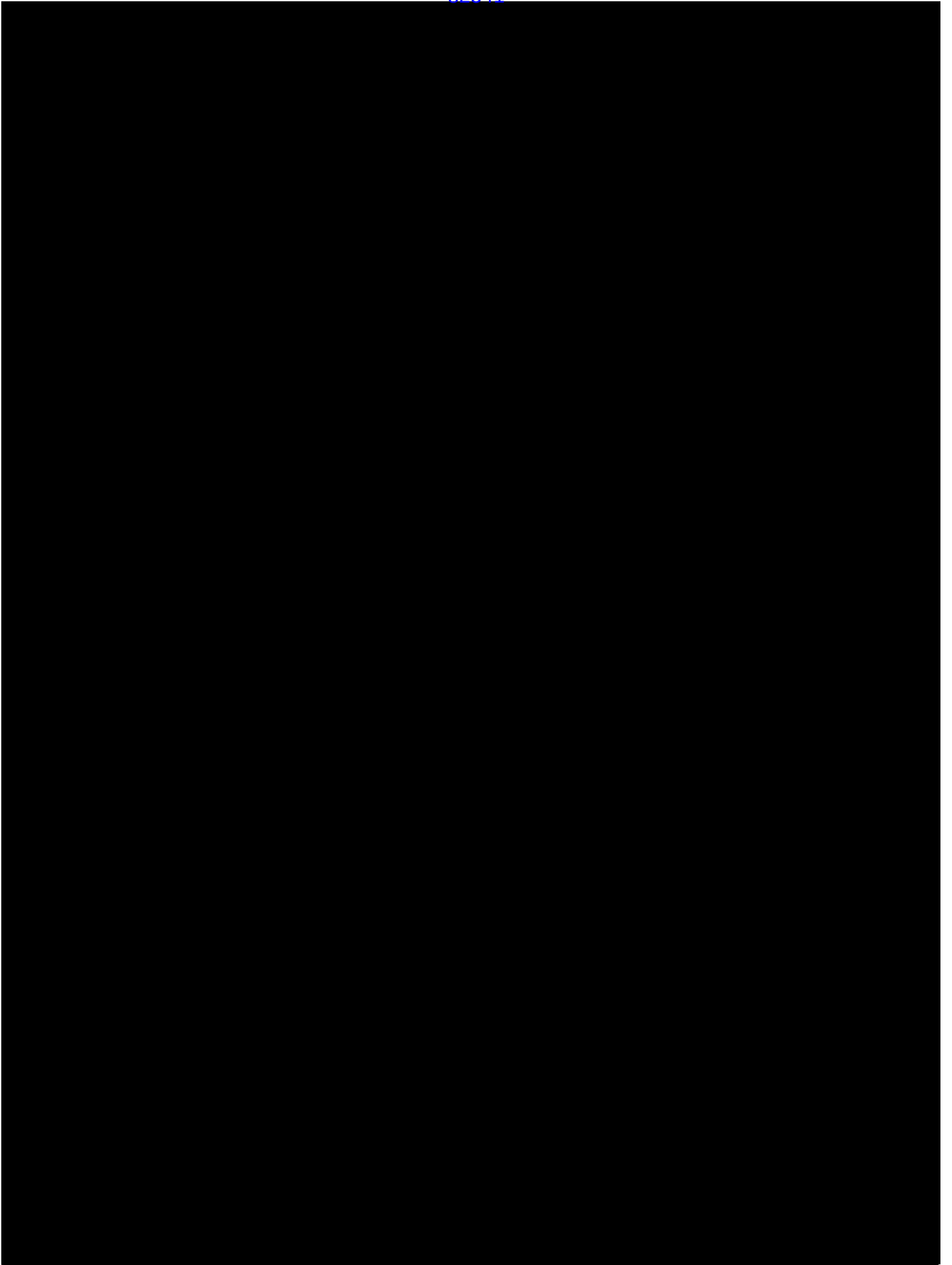
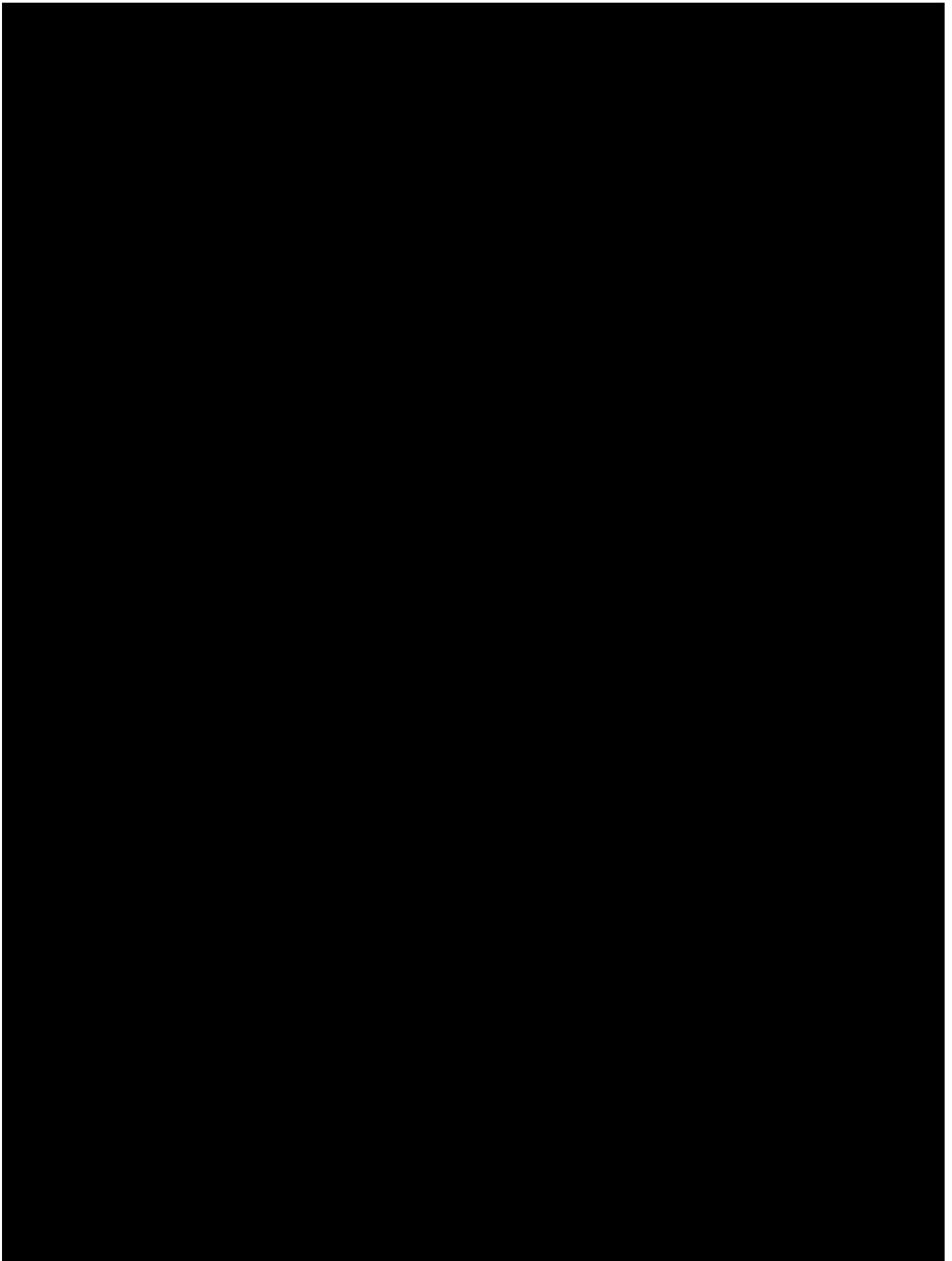
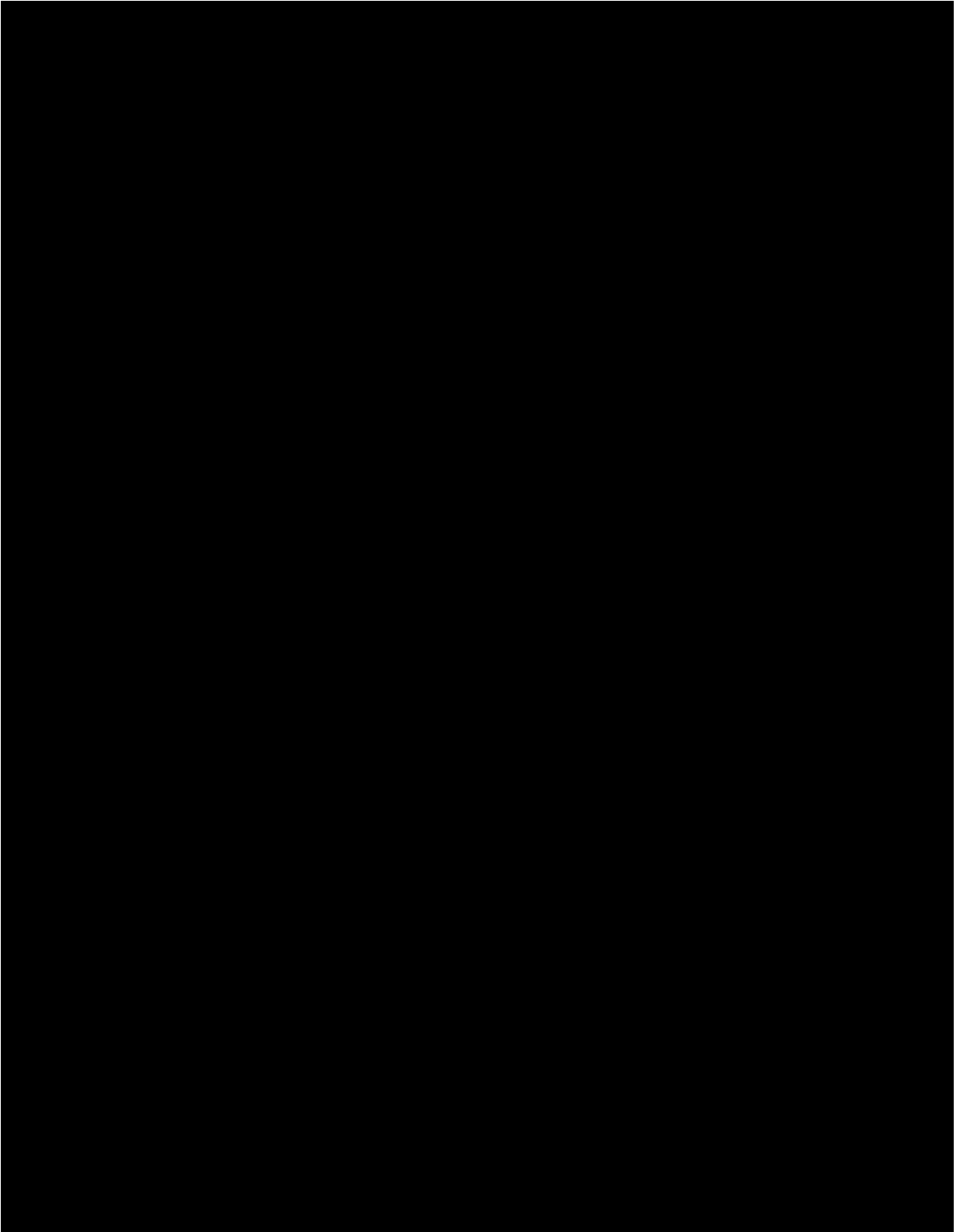
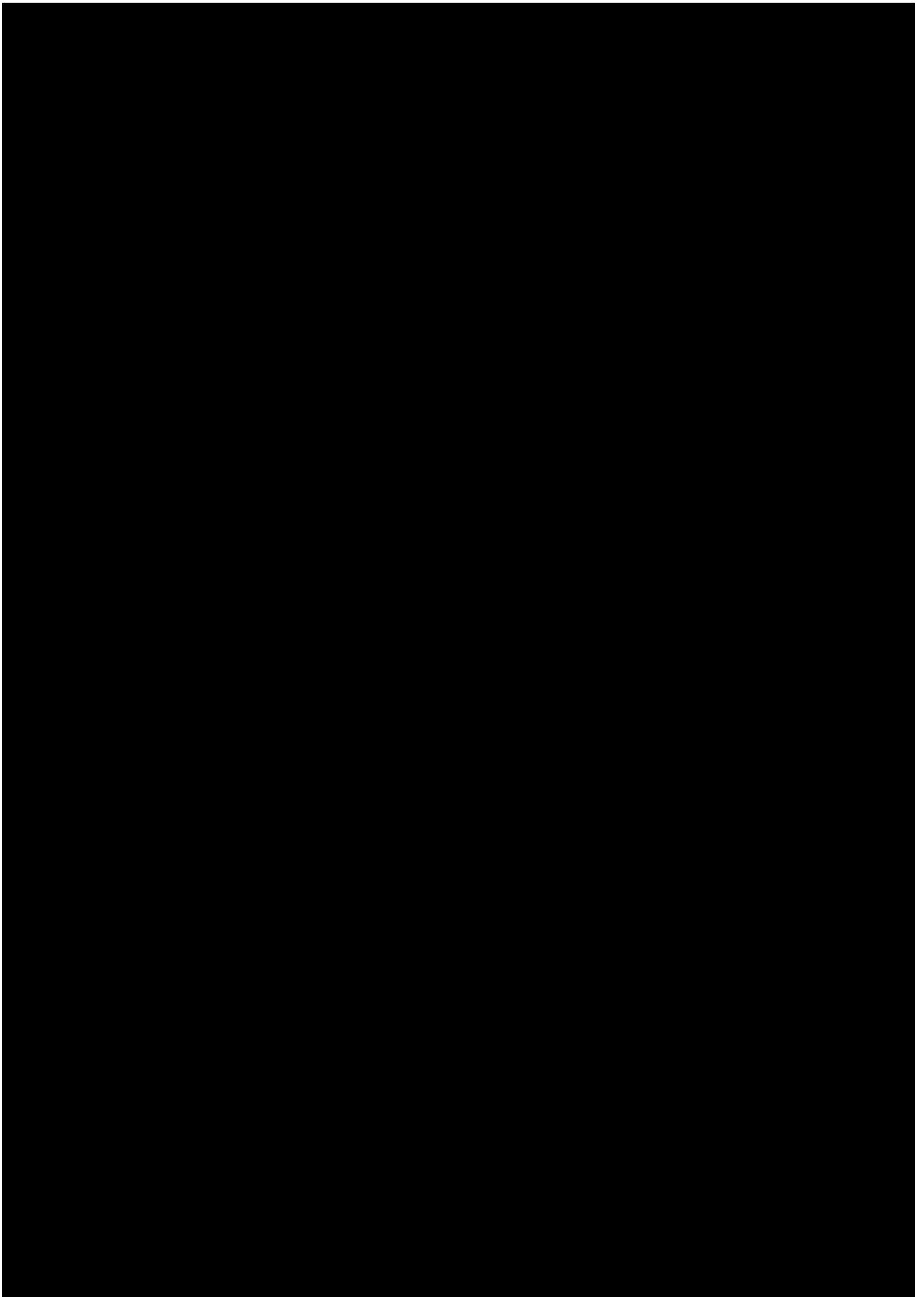


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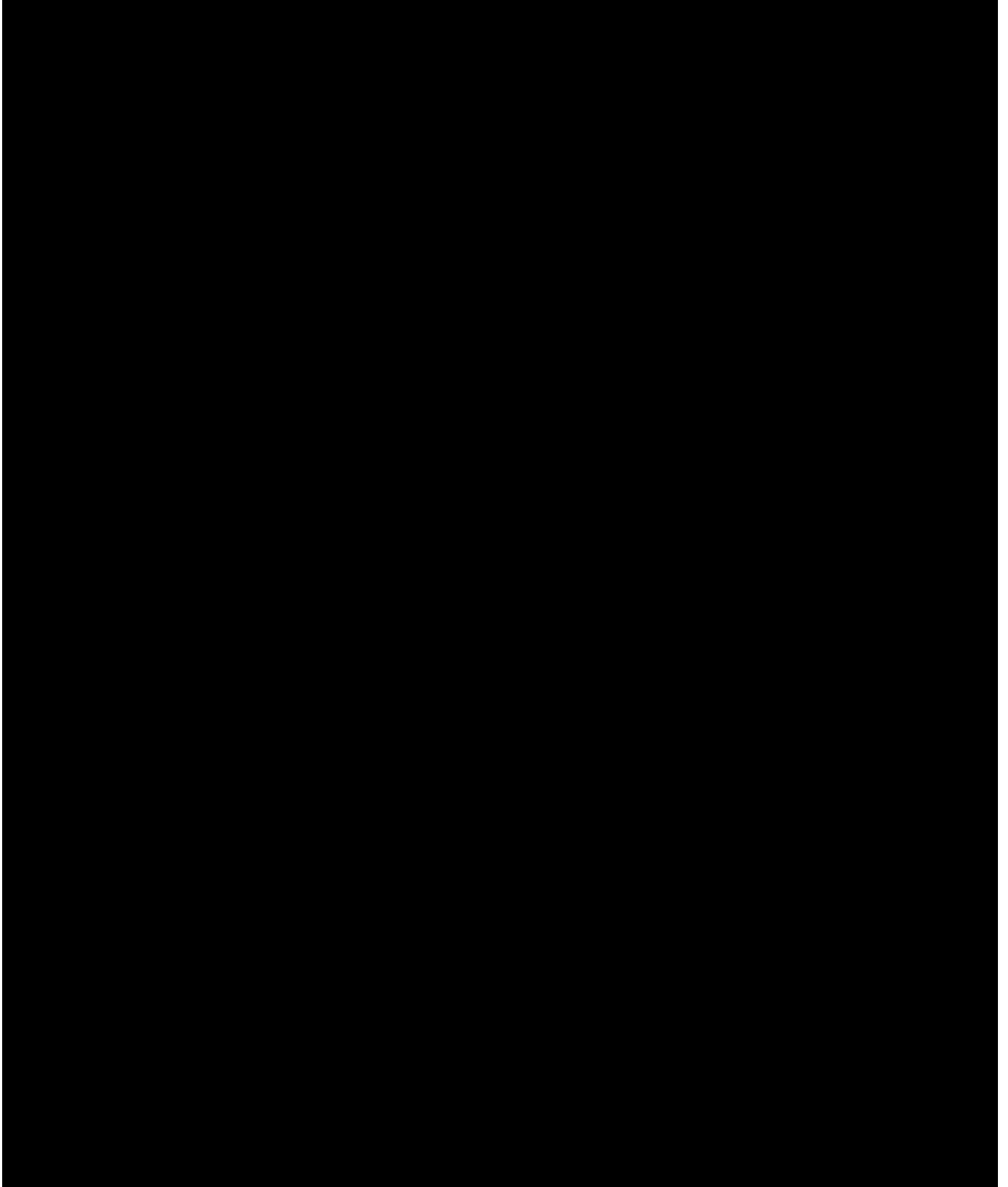
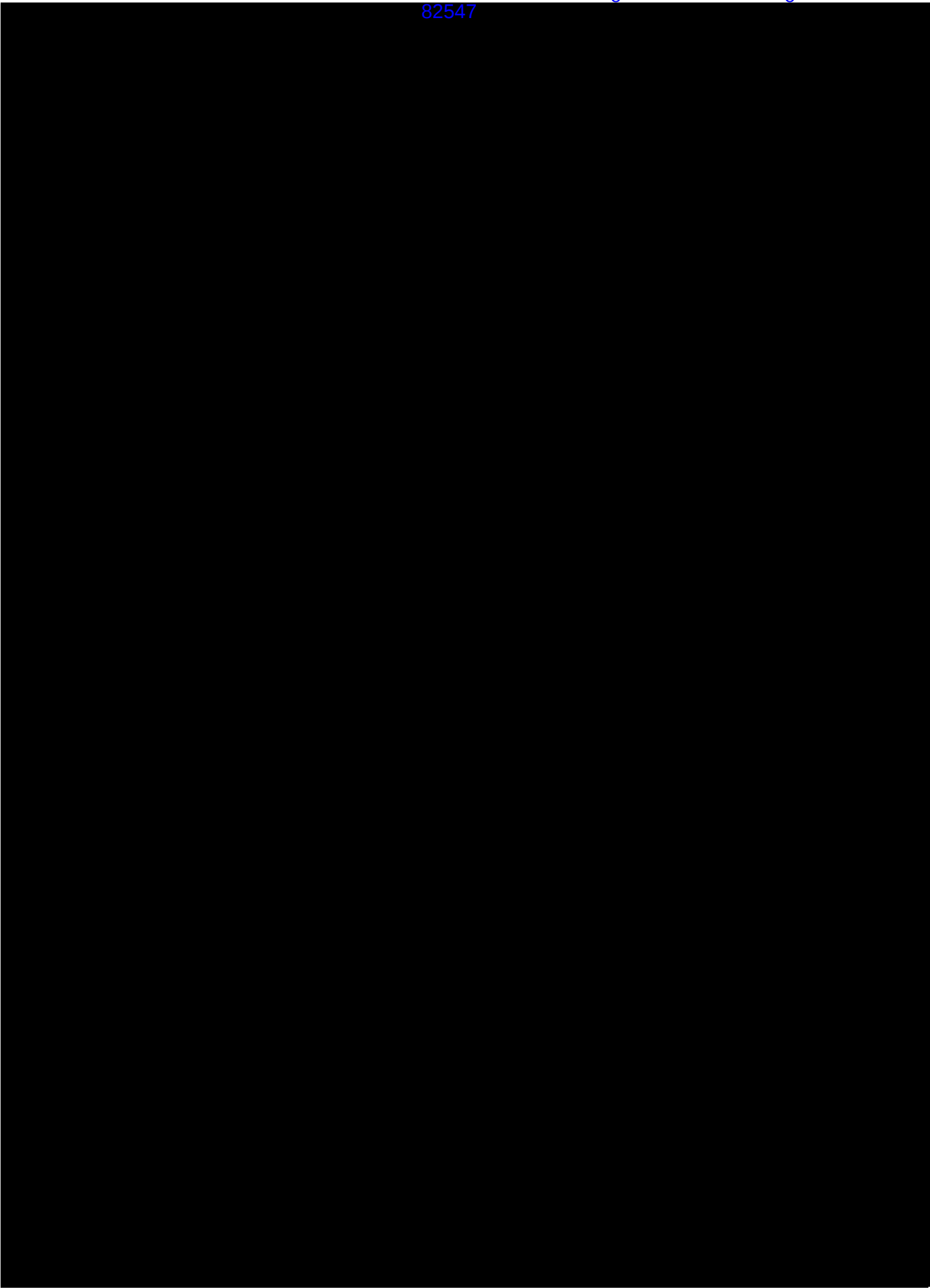


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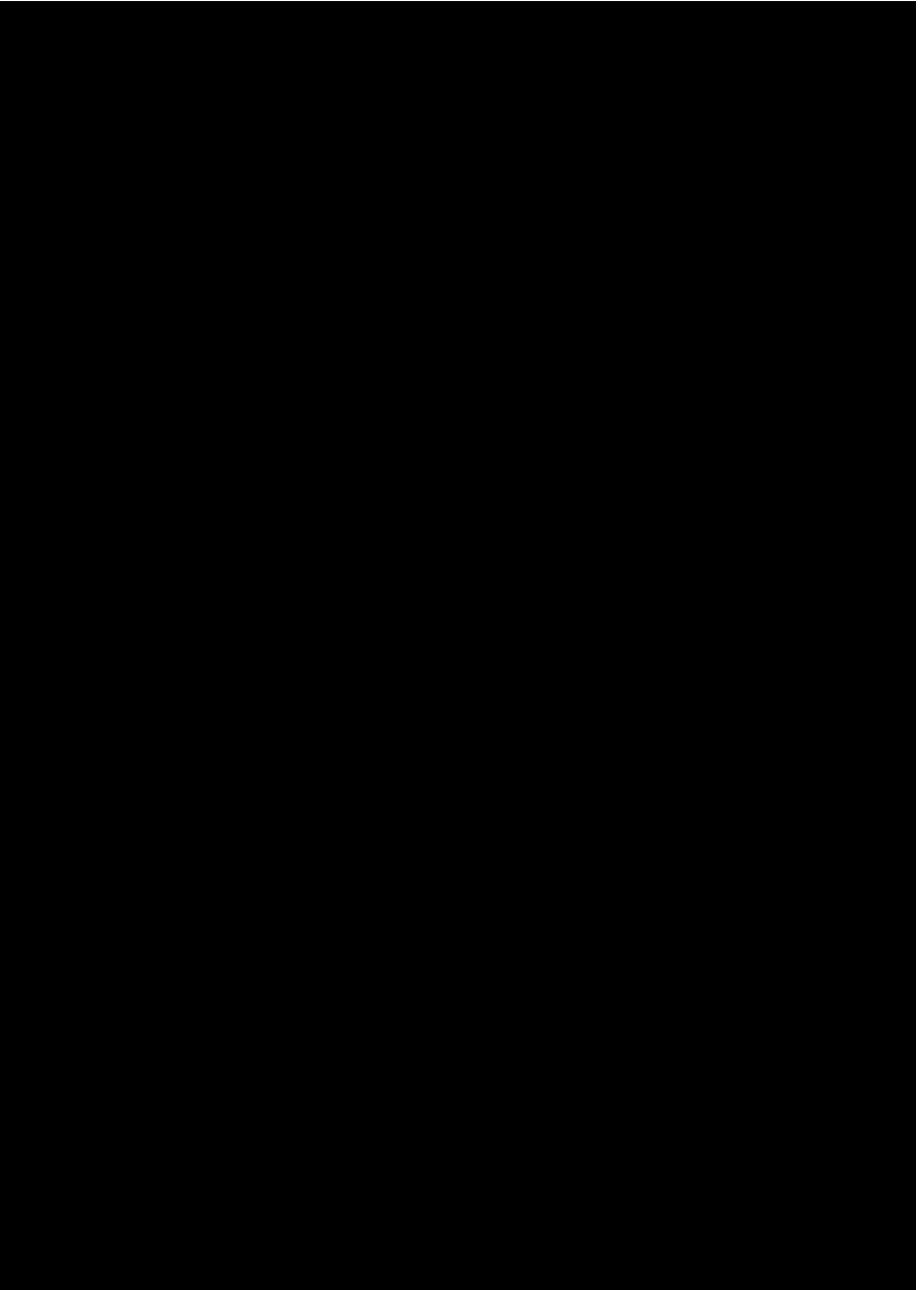


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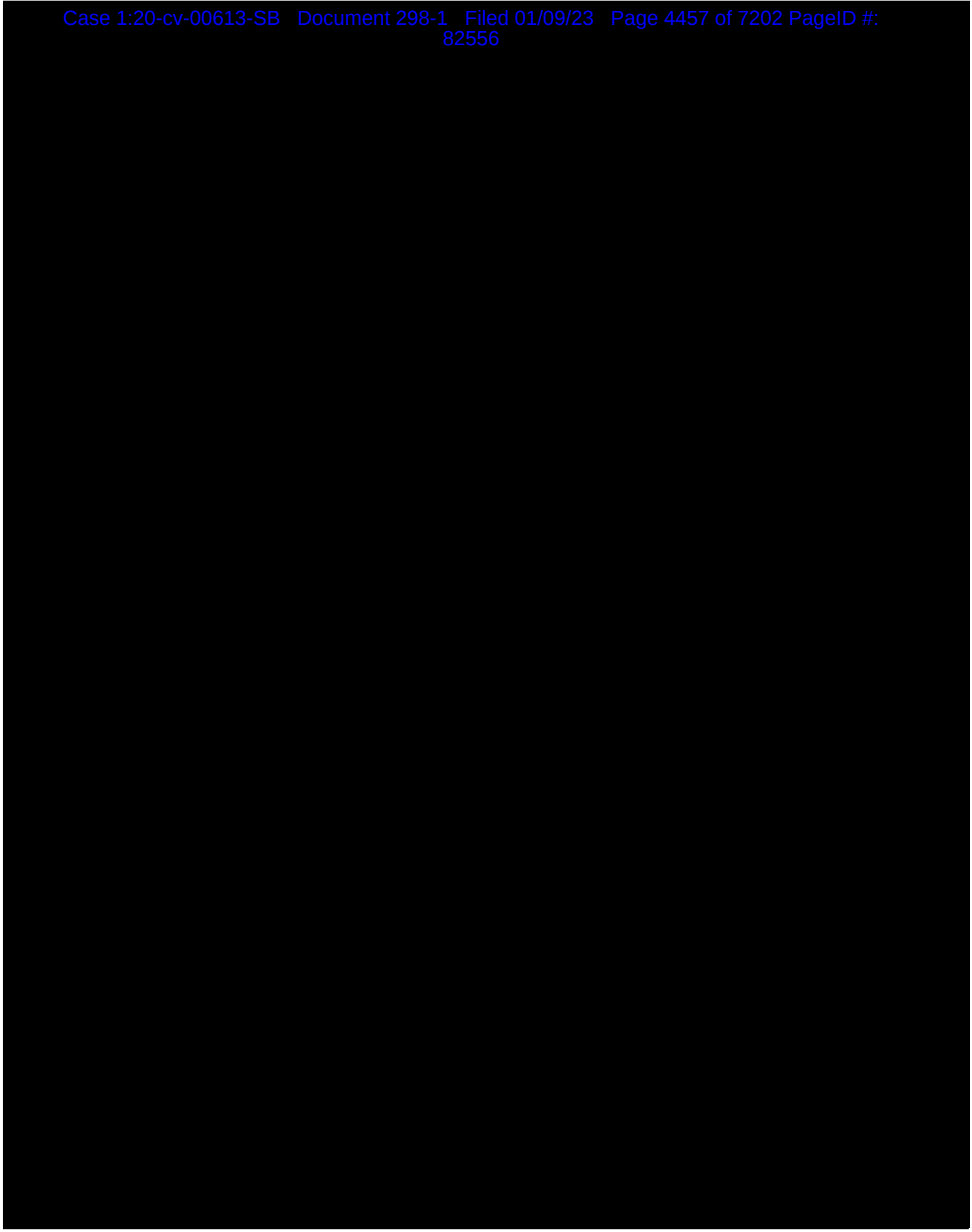
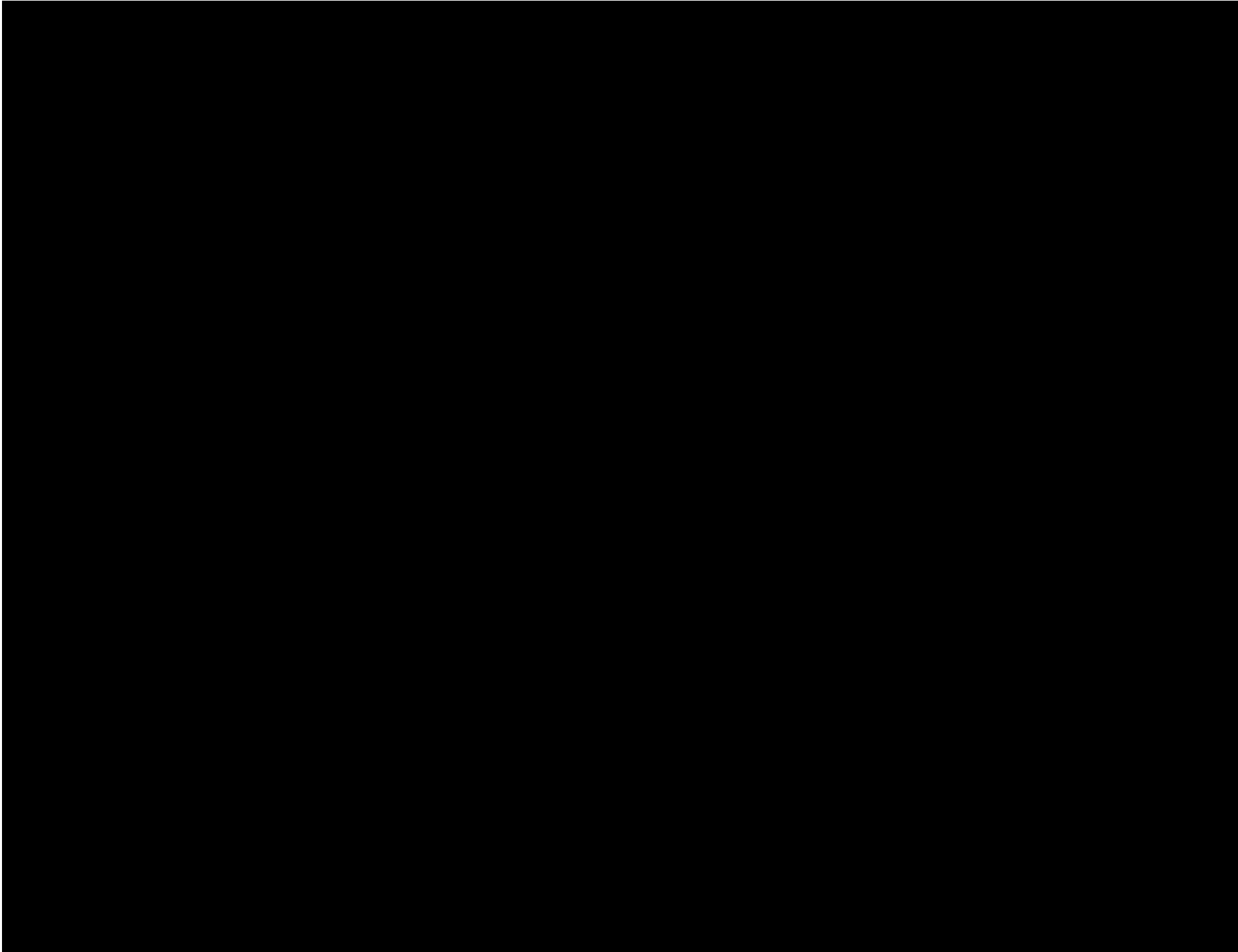
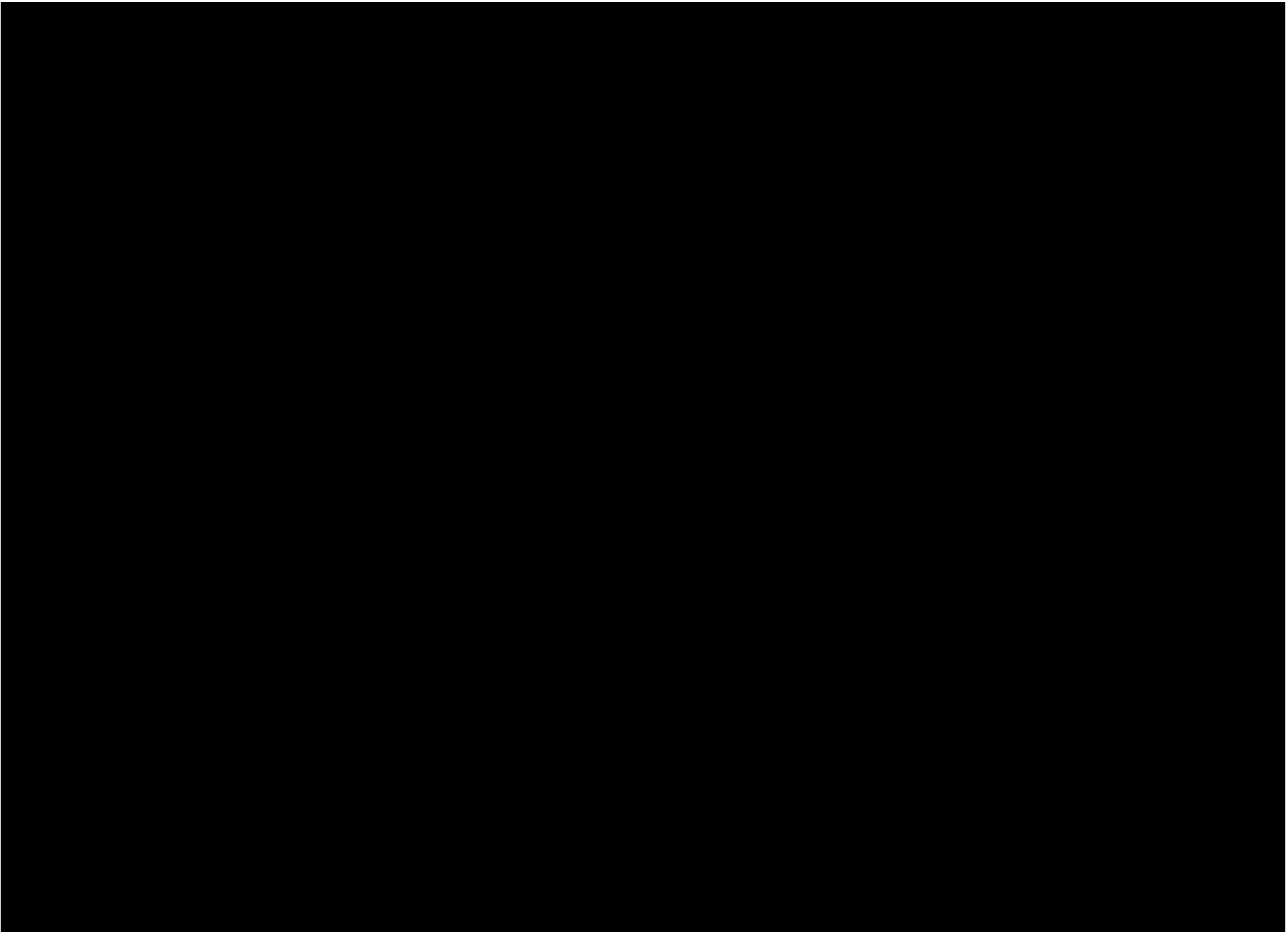
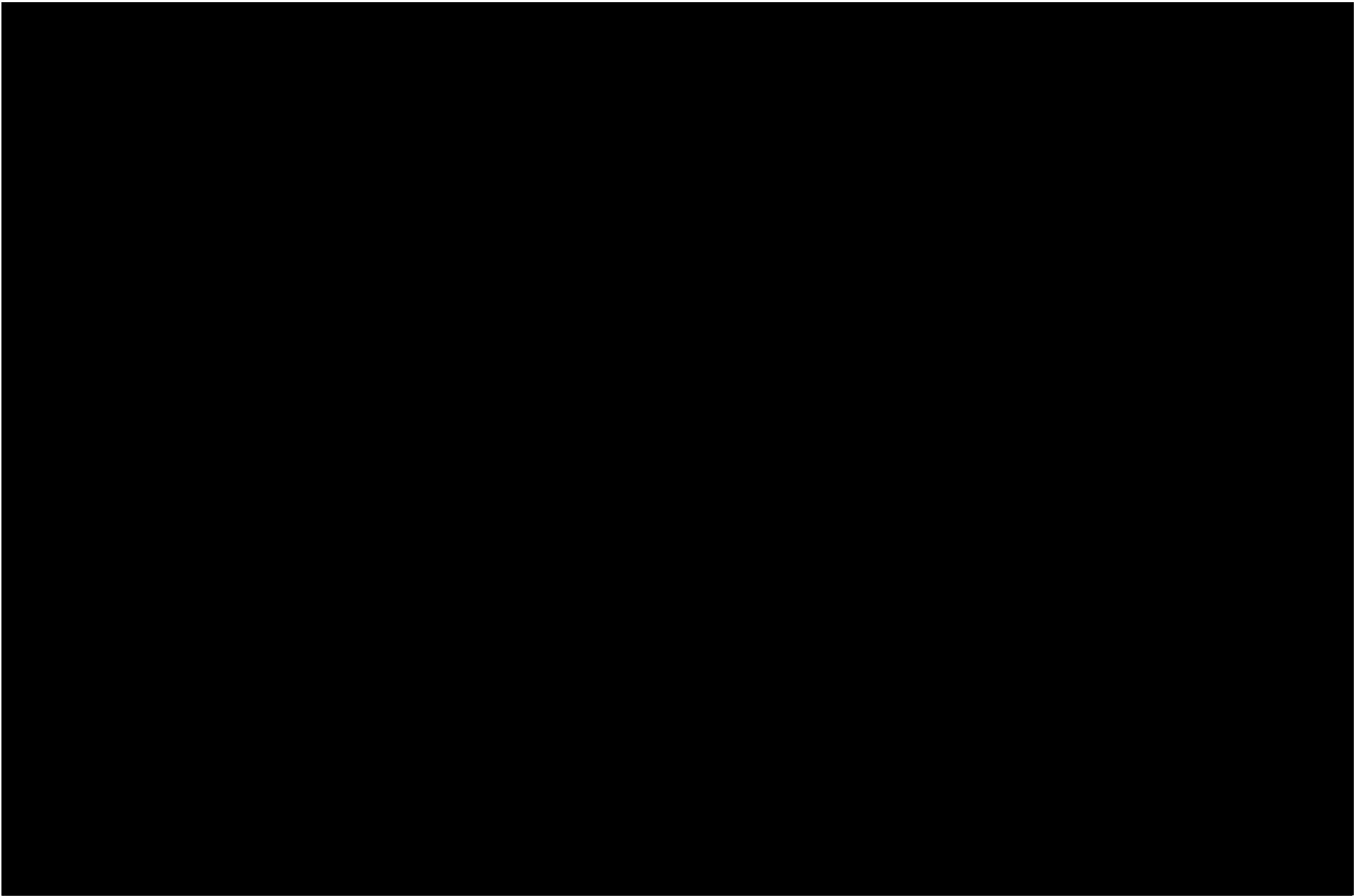


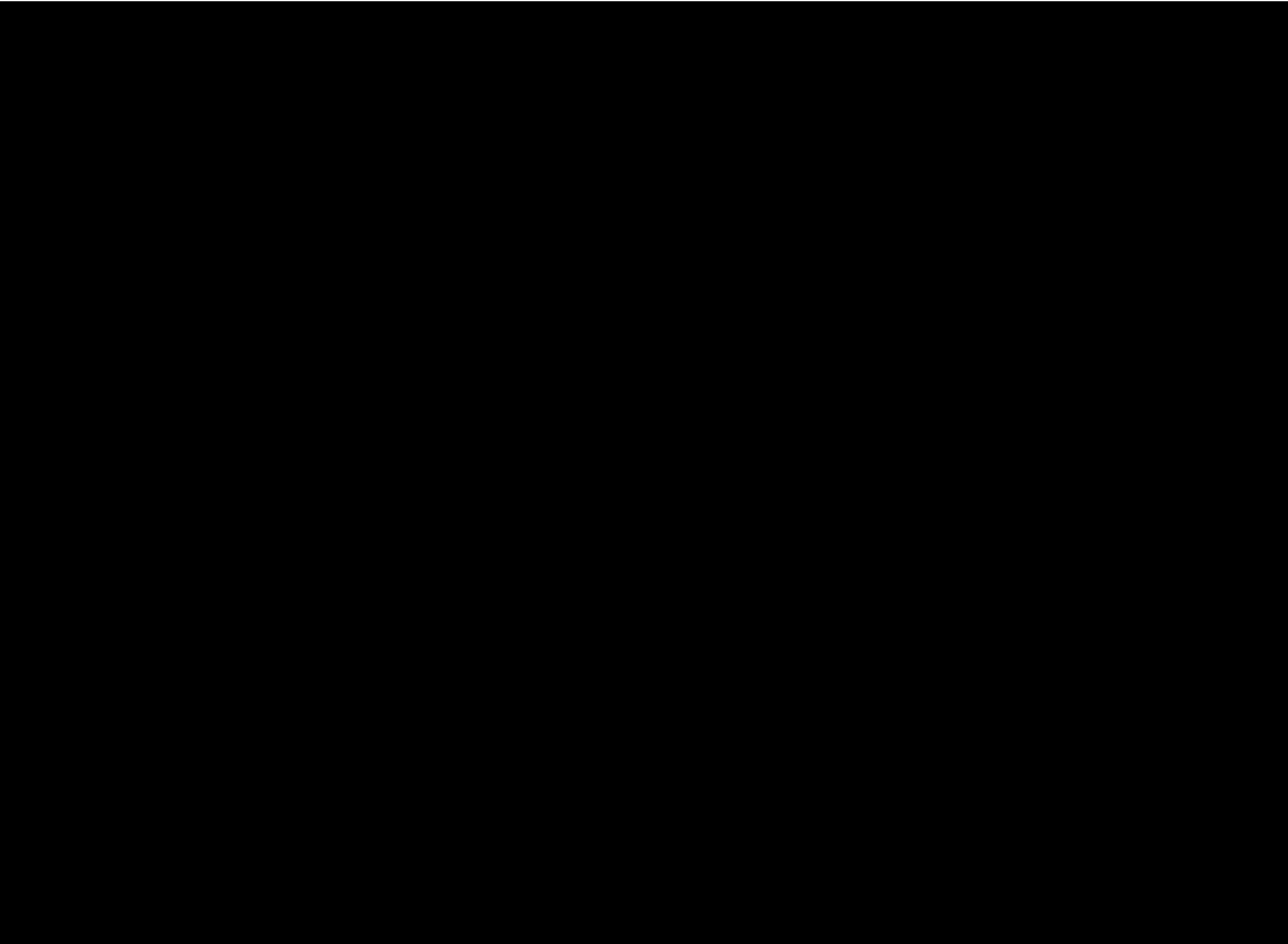
EXHIBIT 37

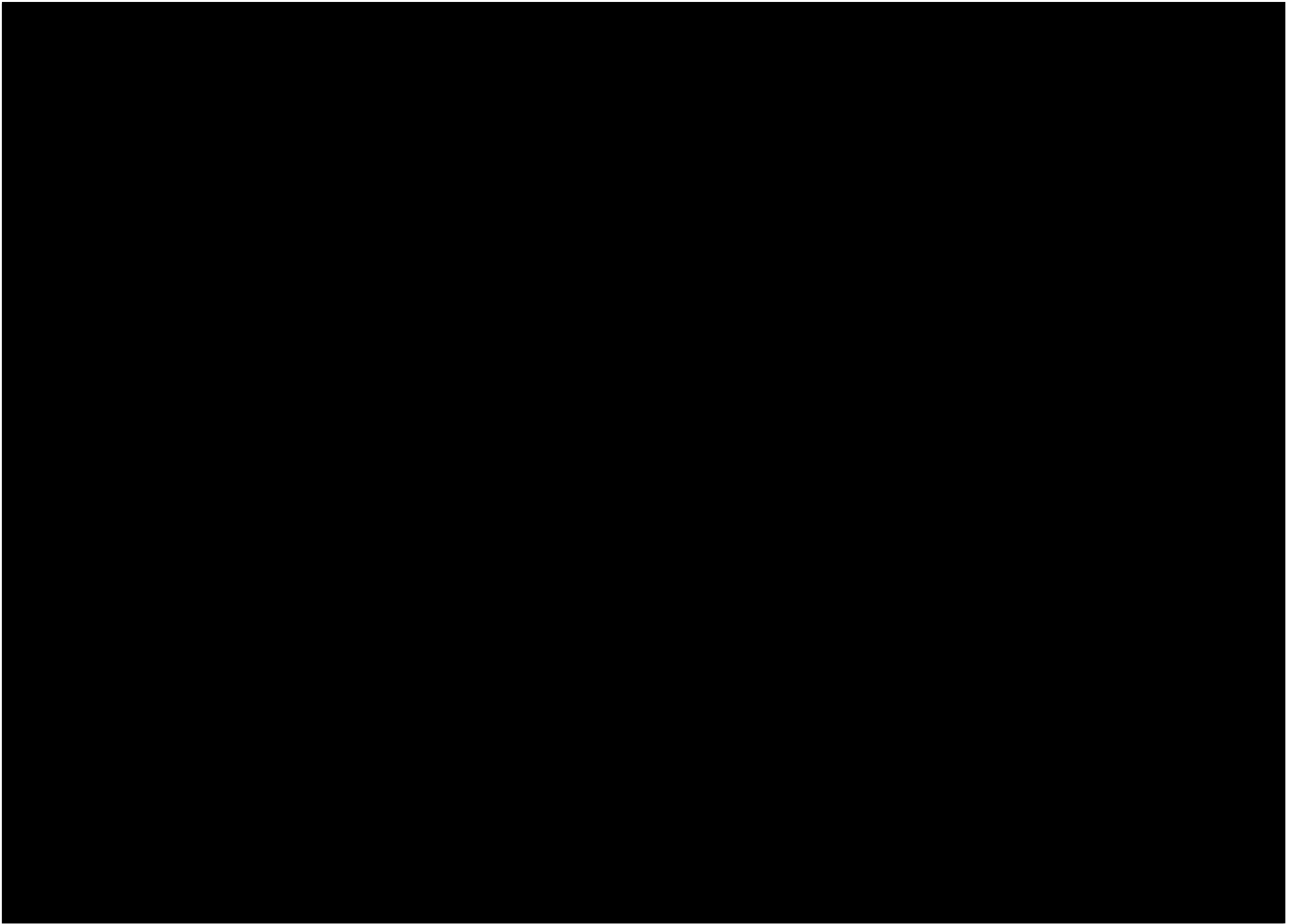
EXHIBIT 38











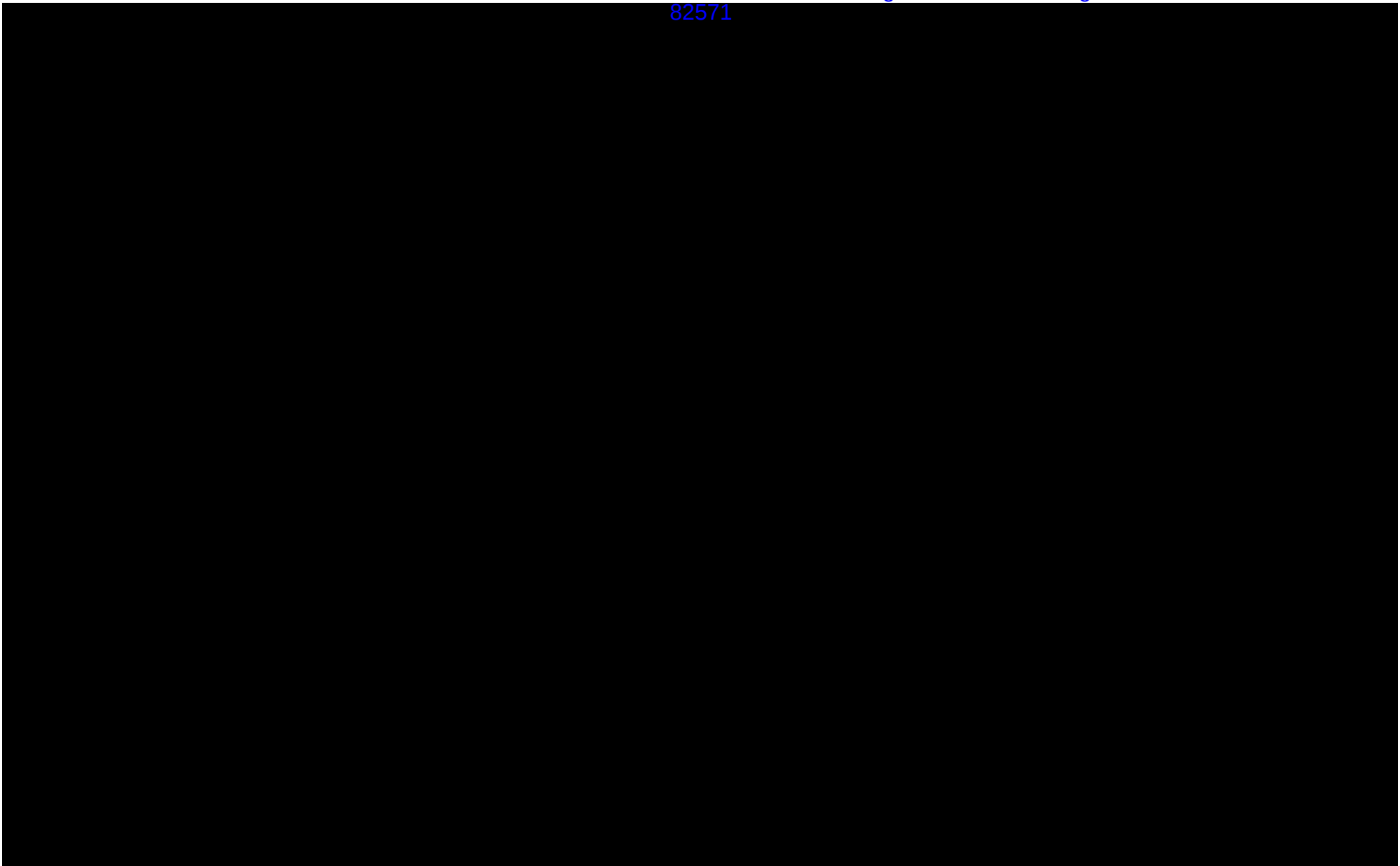
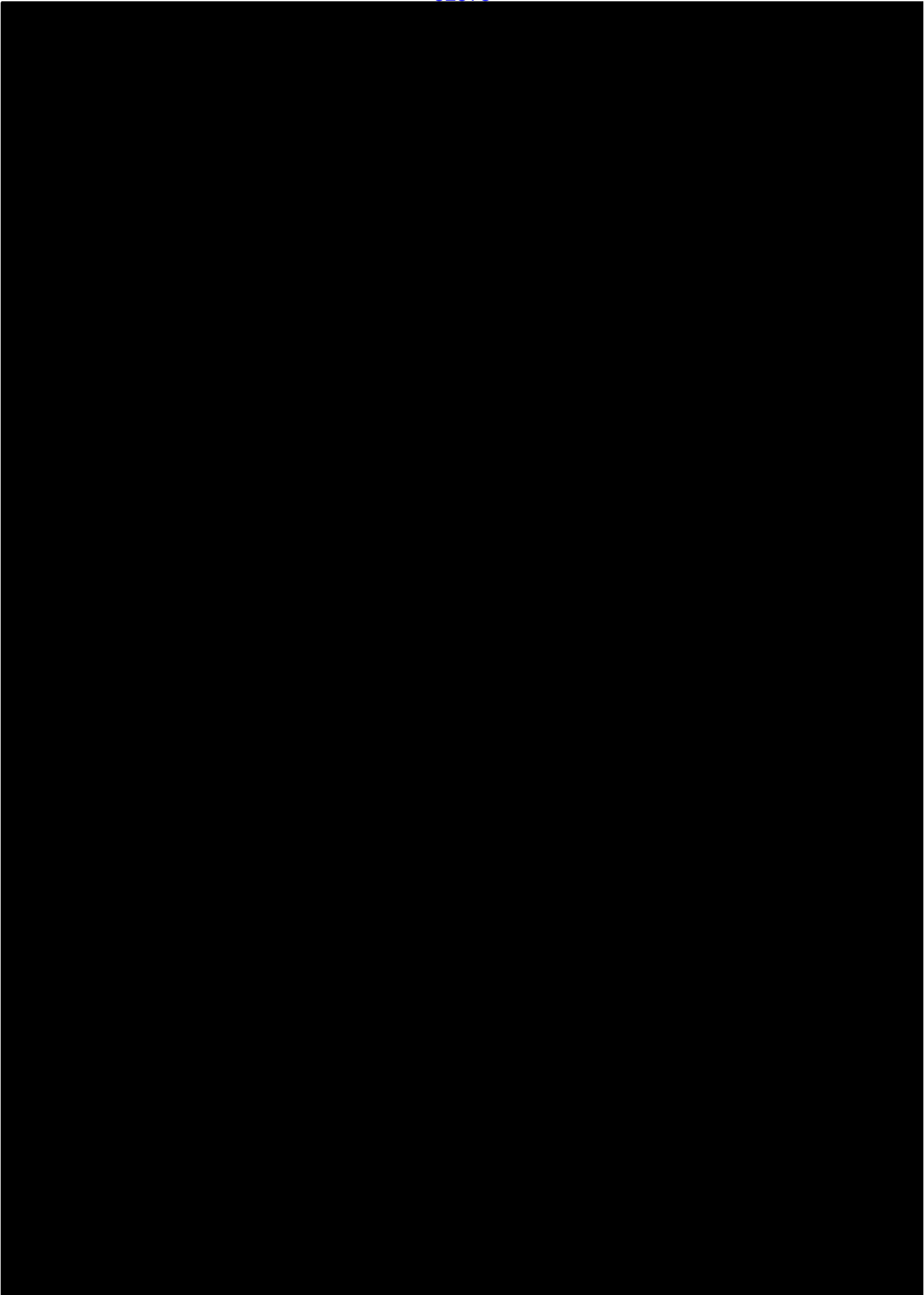
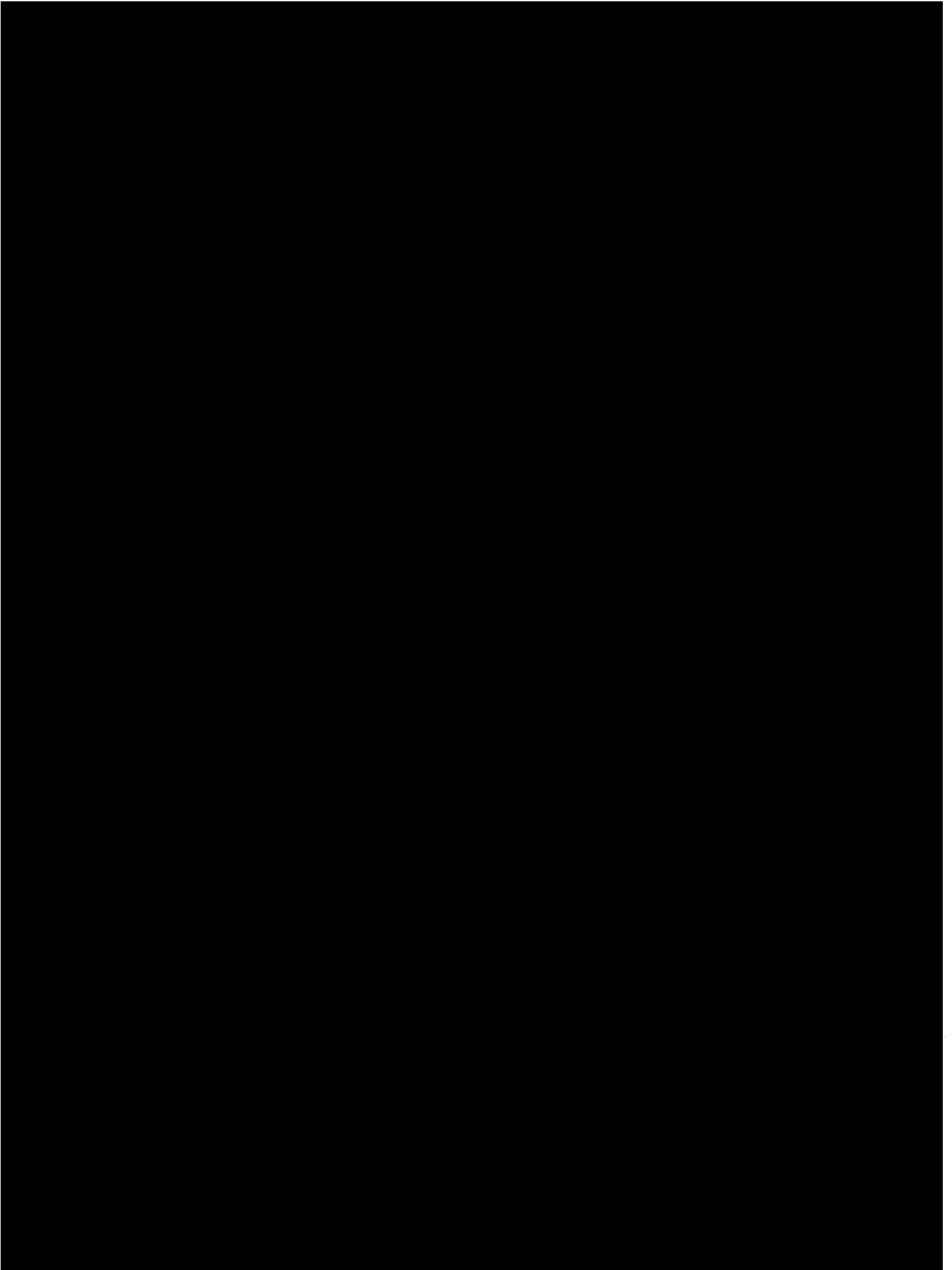
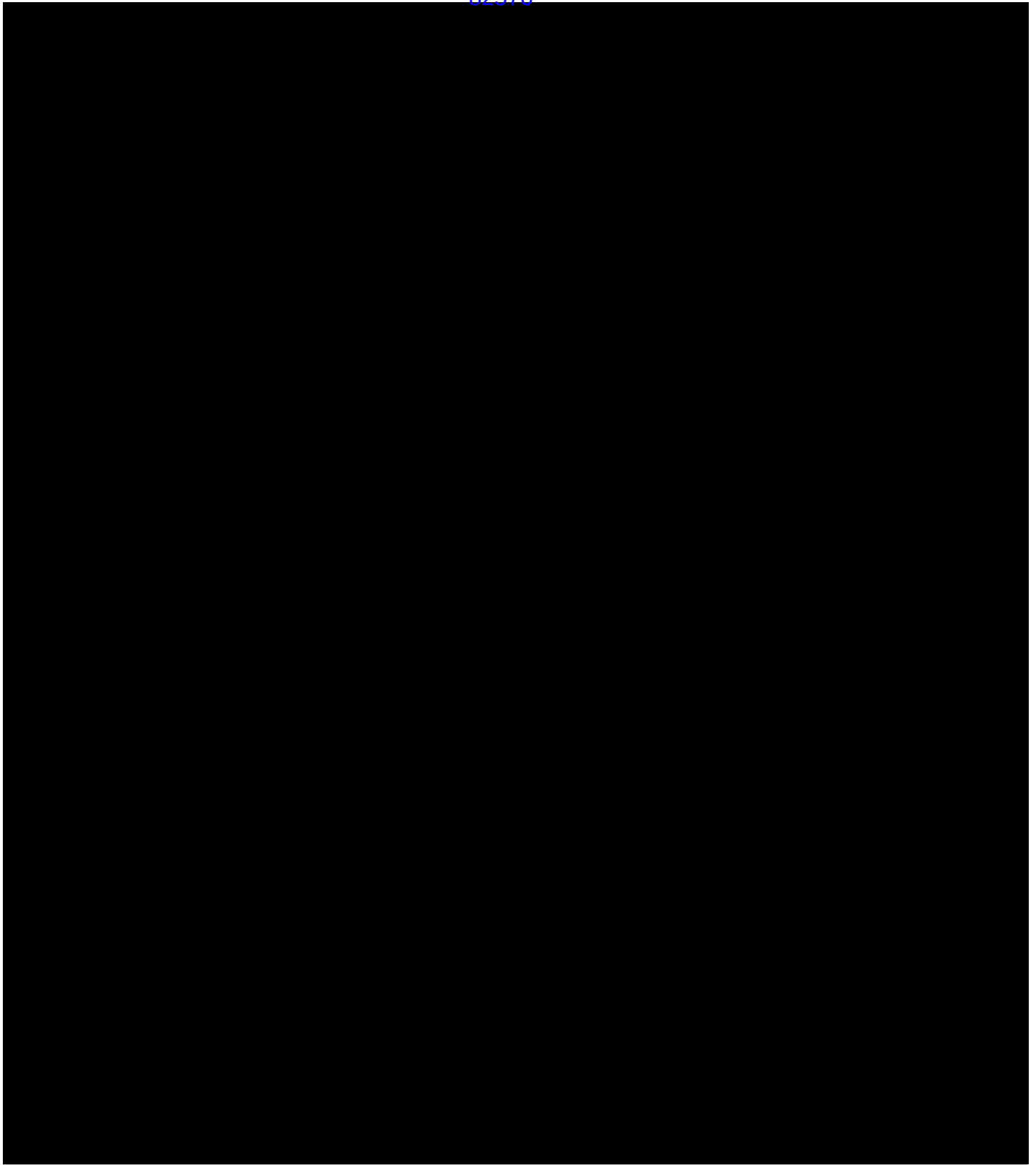


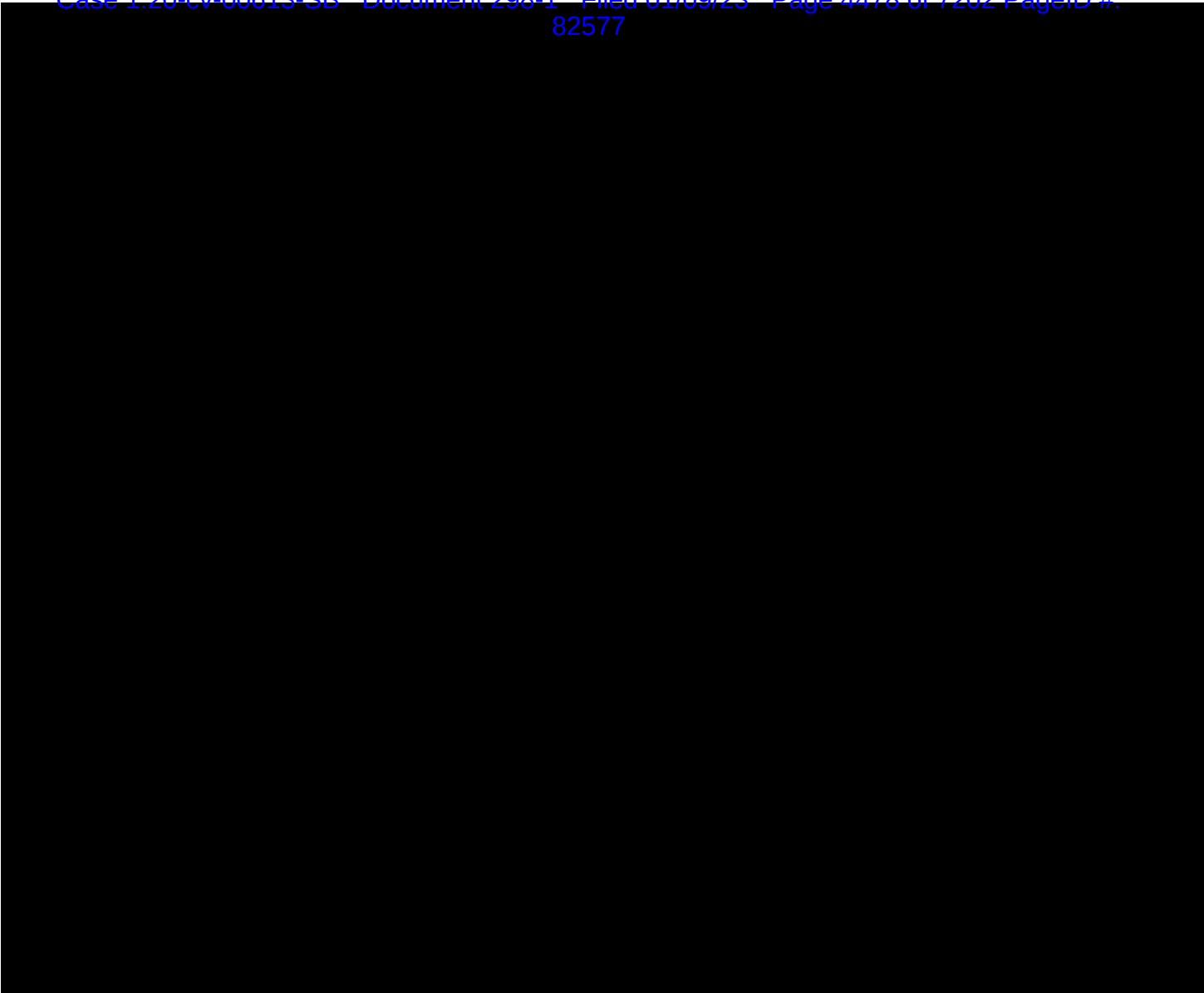
EXHIBIT 39





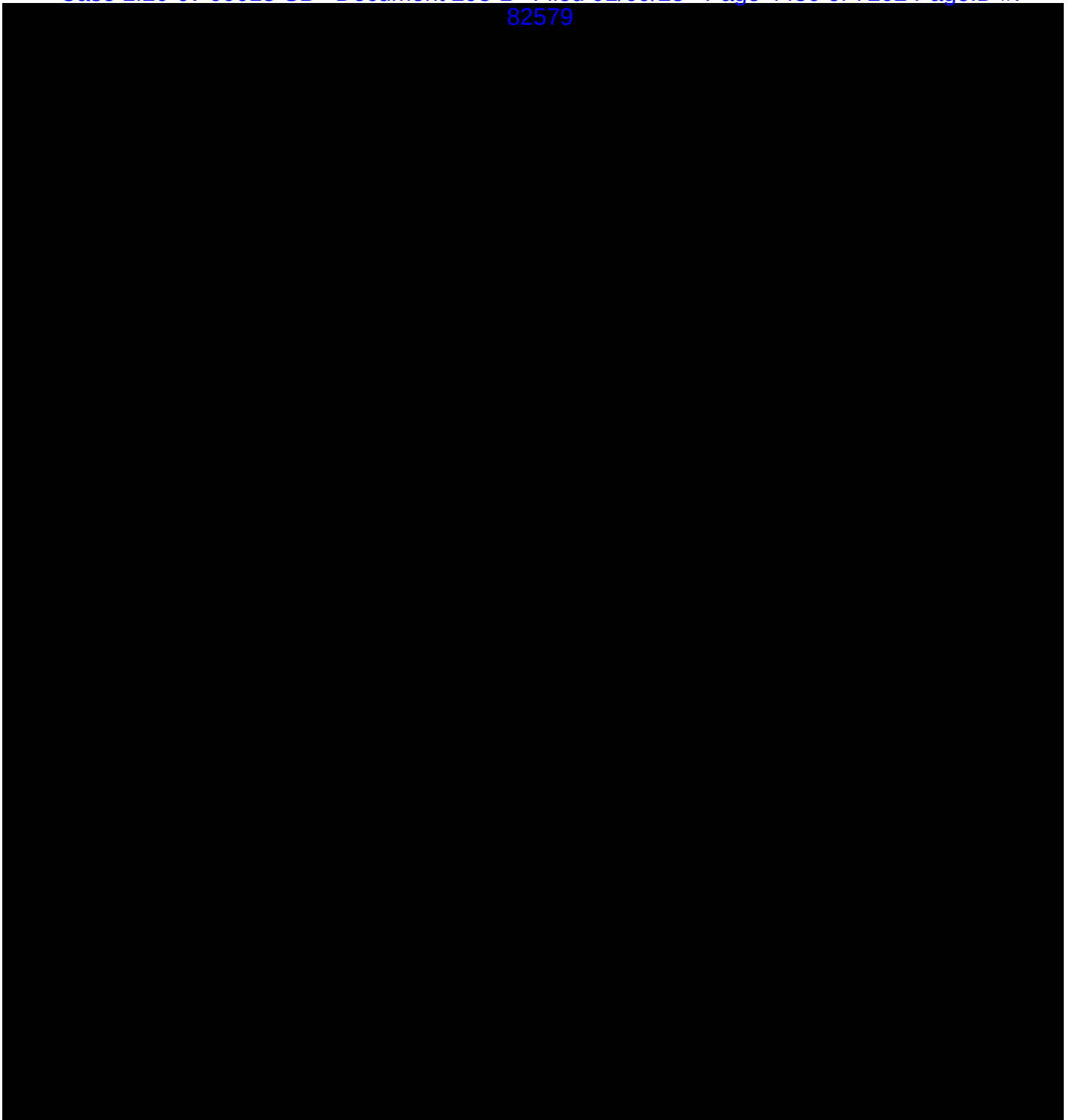




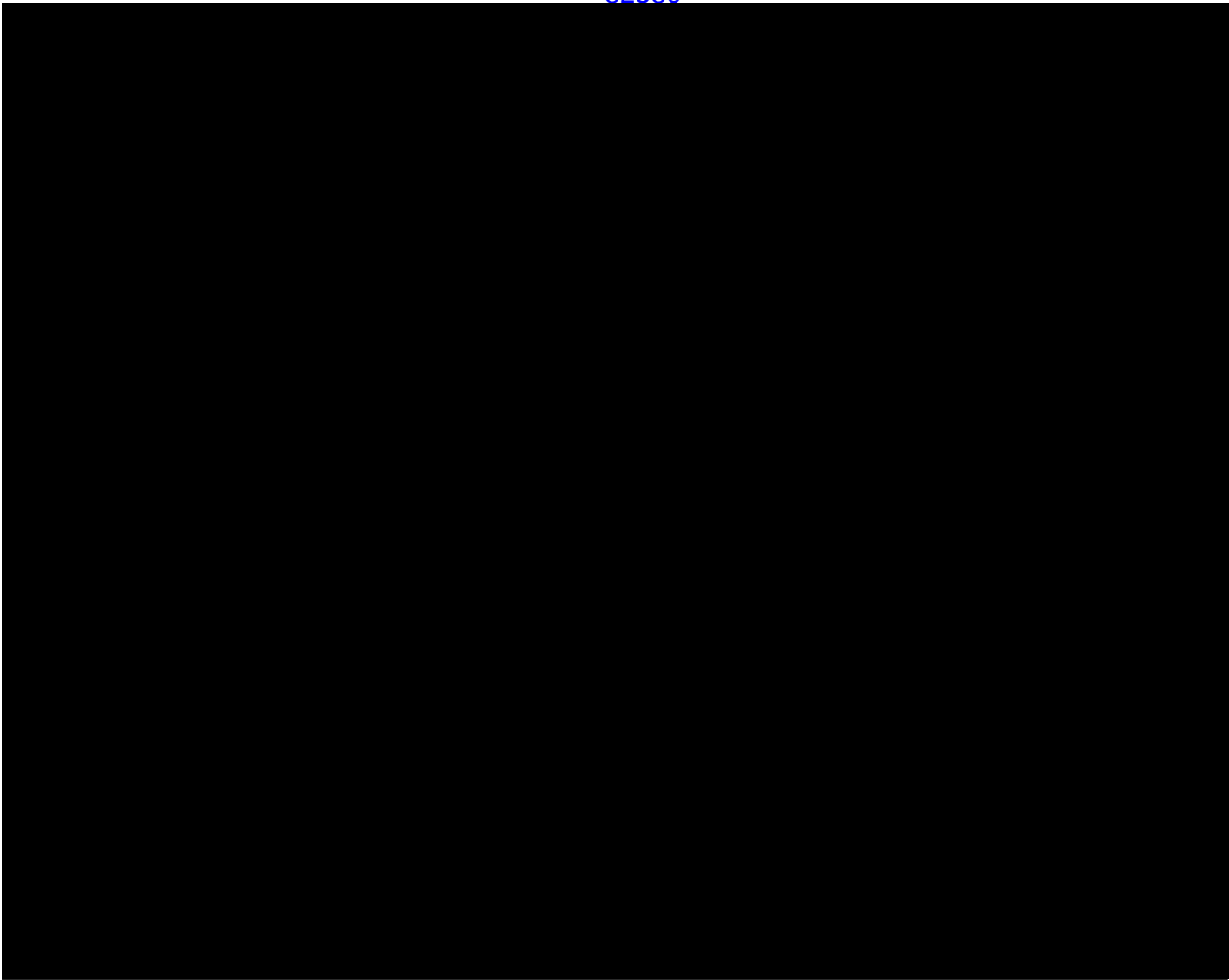


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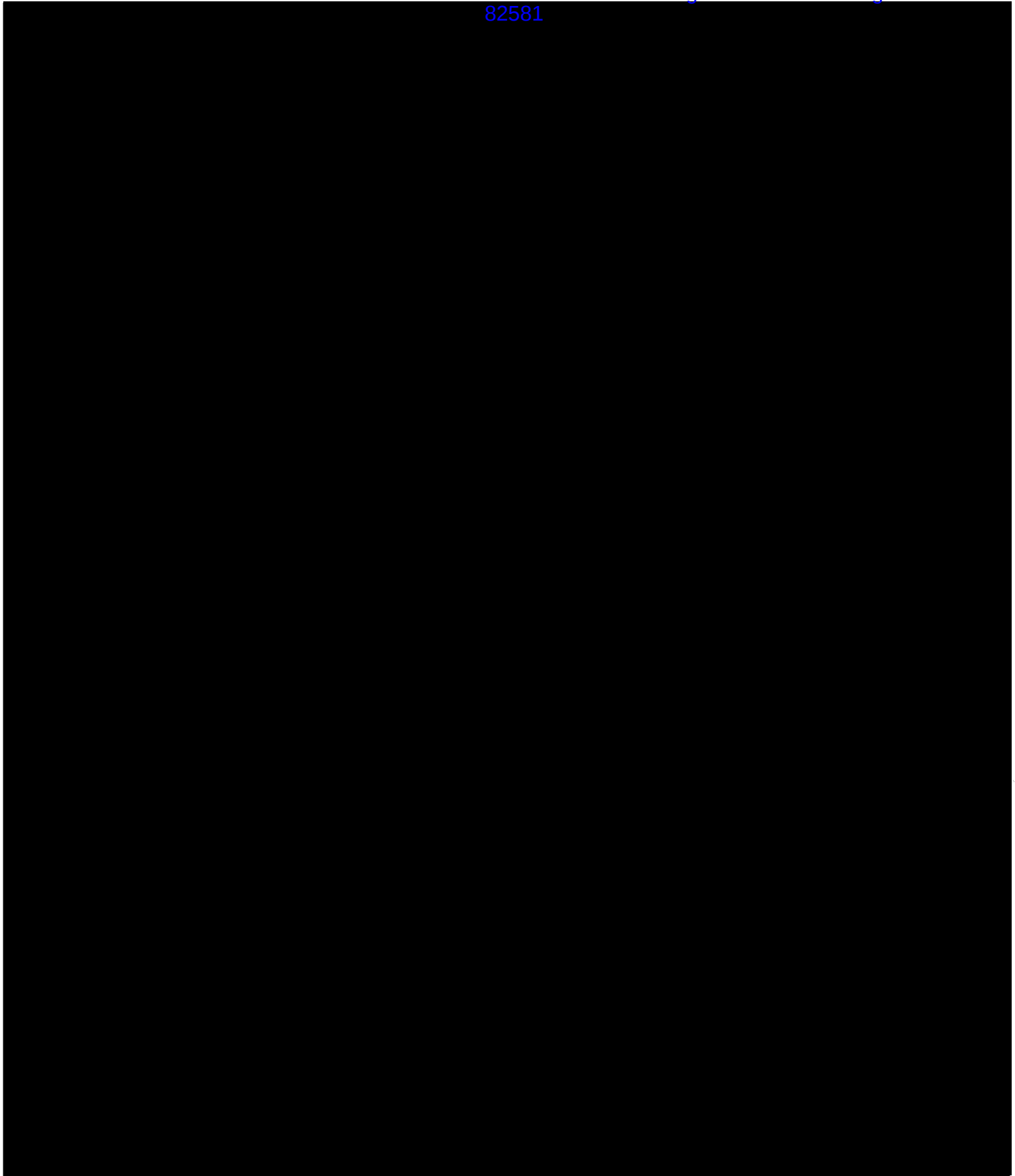
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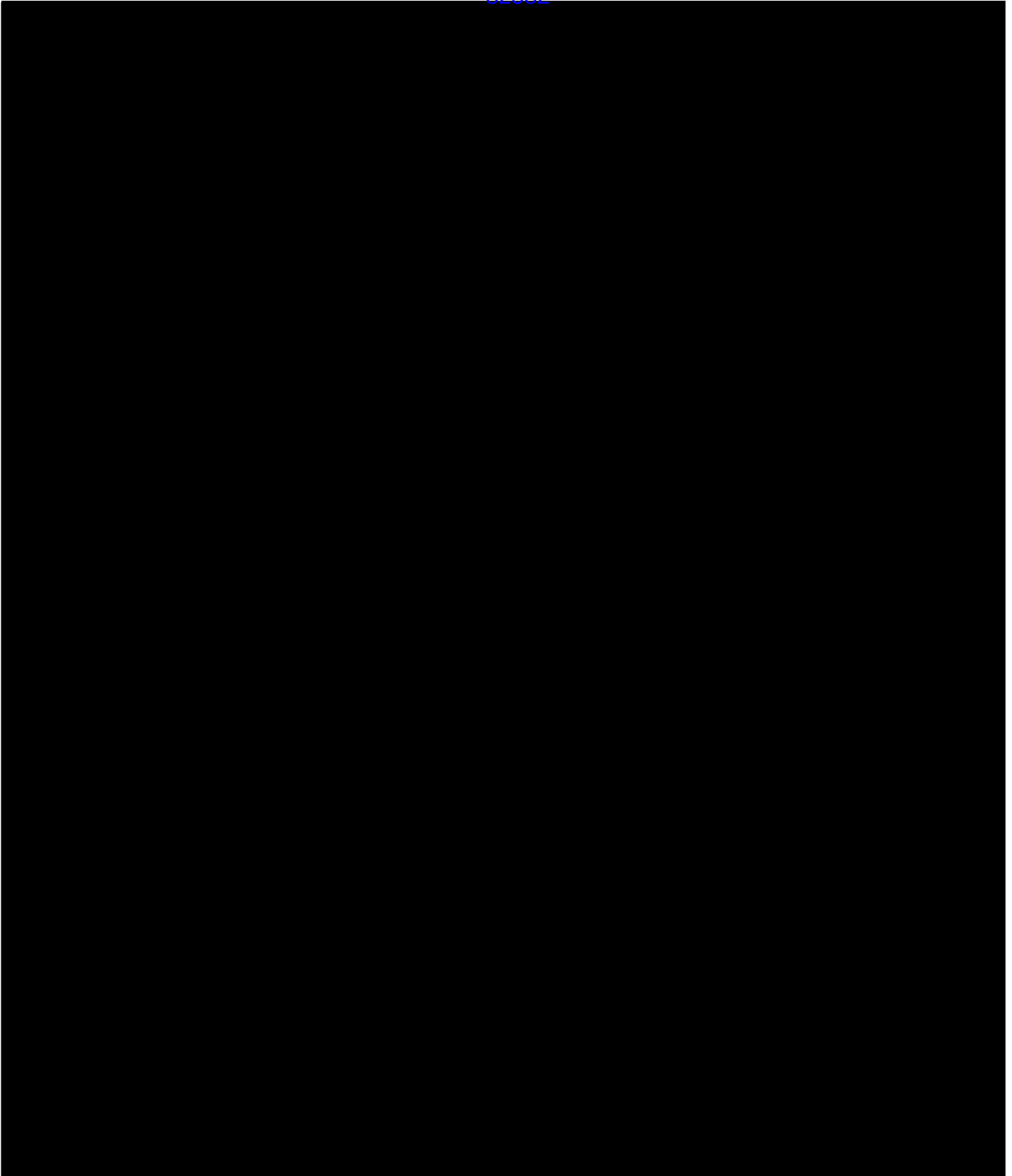
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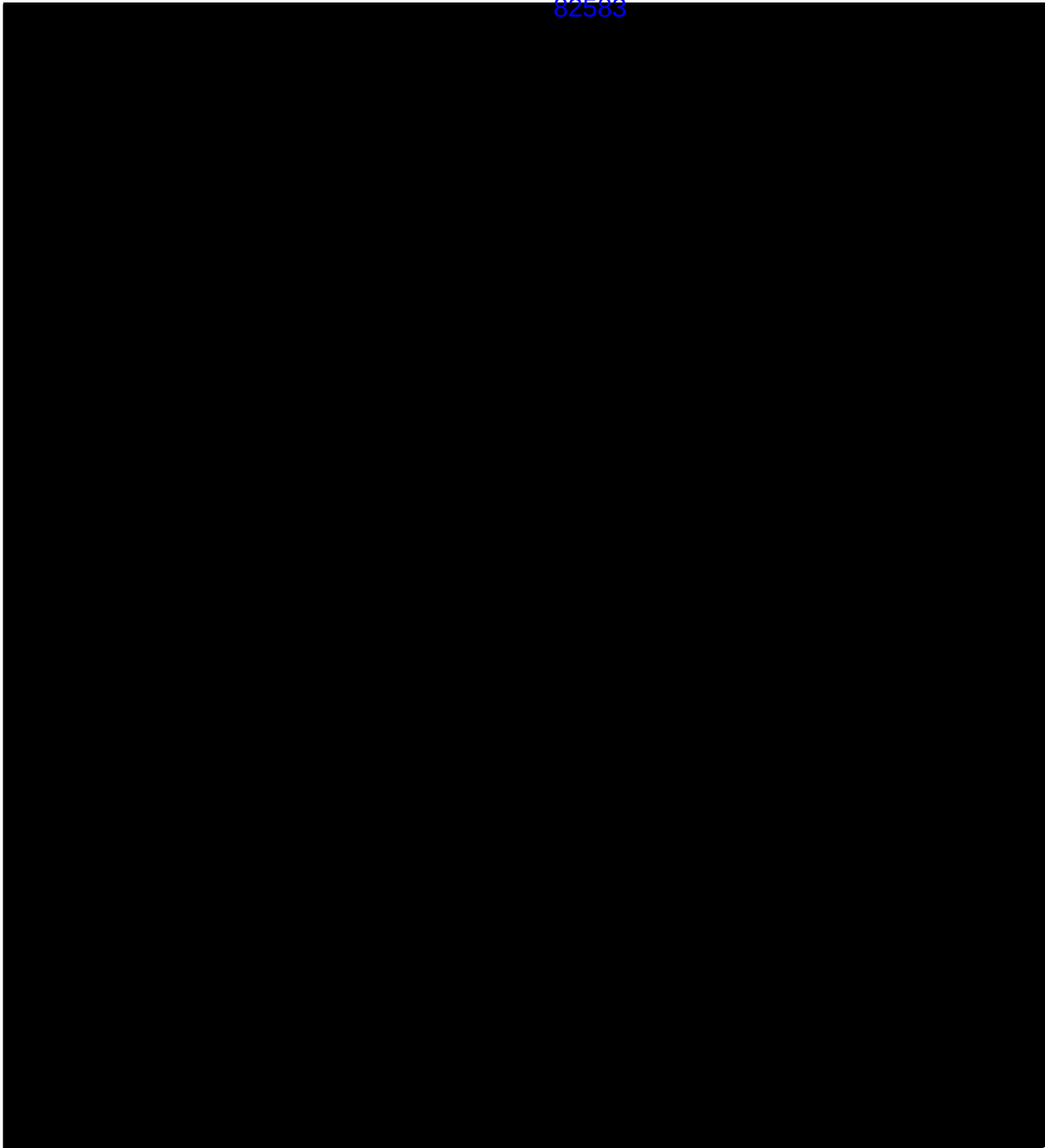
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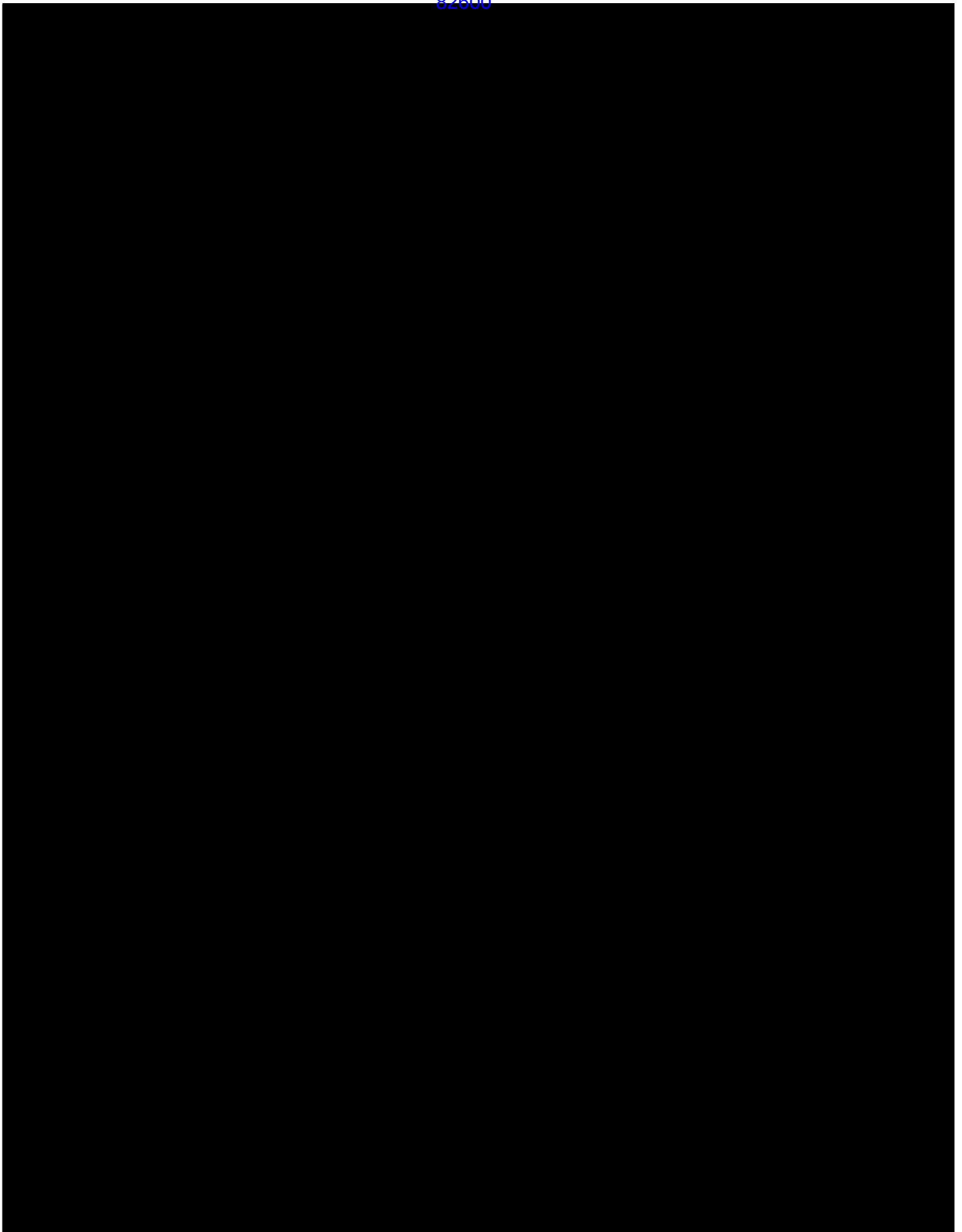
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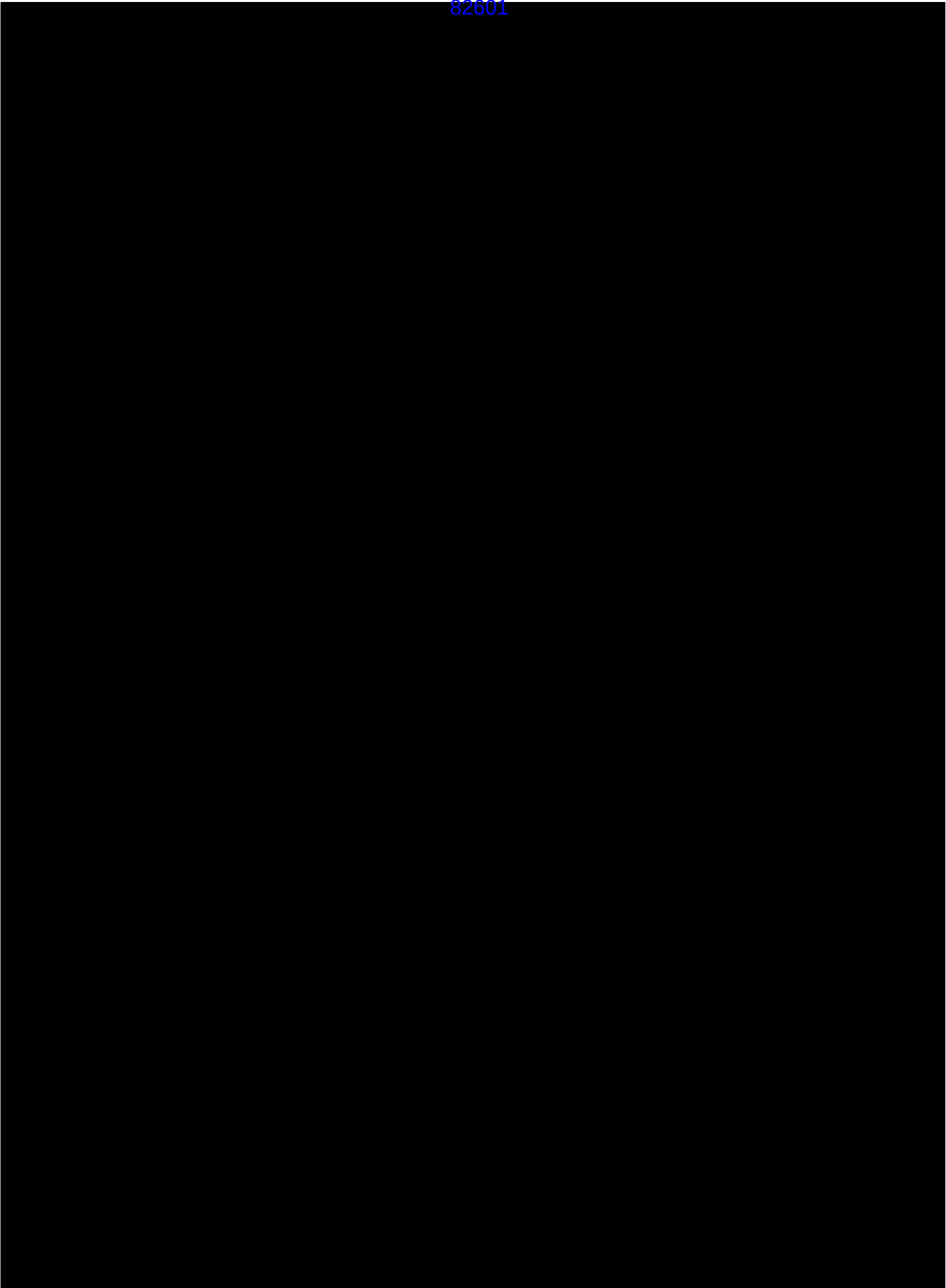
EXHIBIT 40

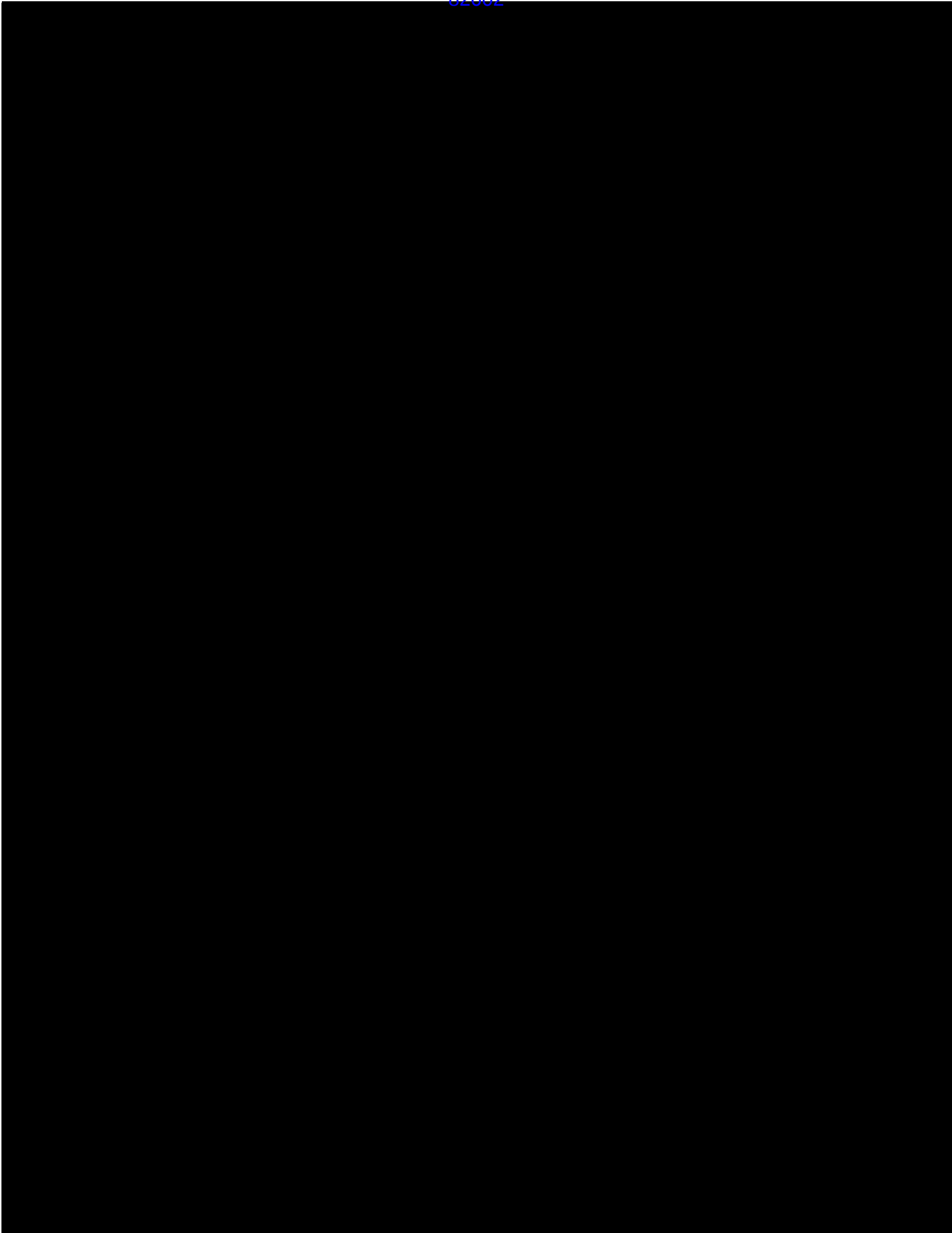
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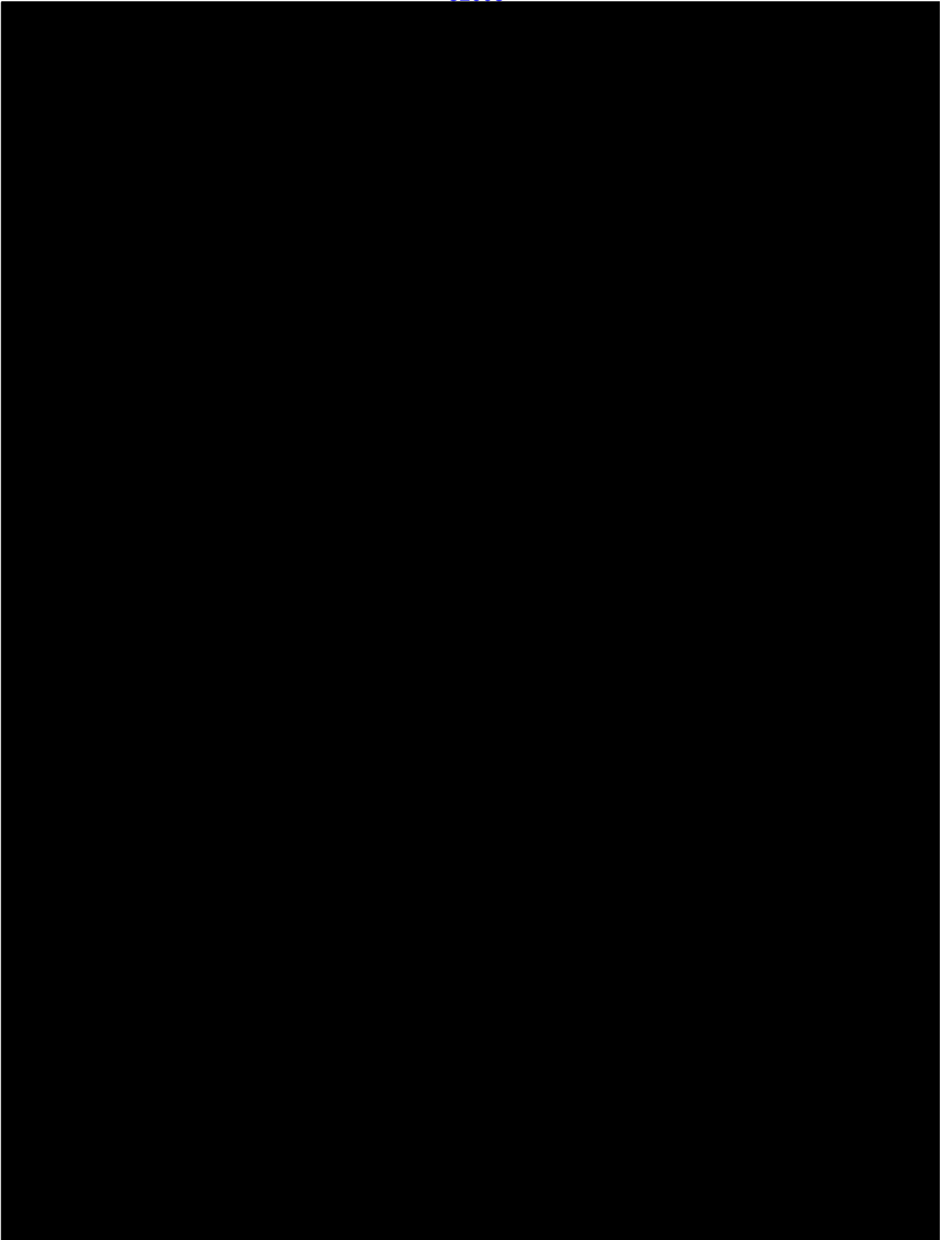
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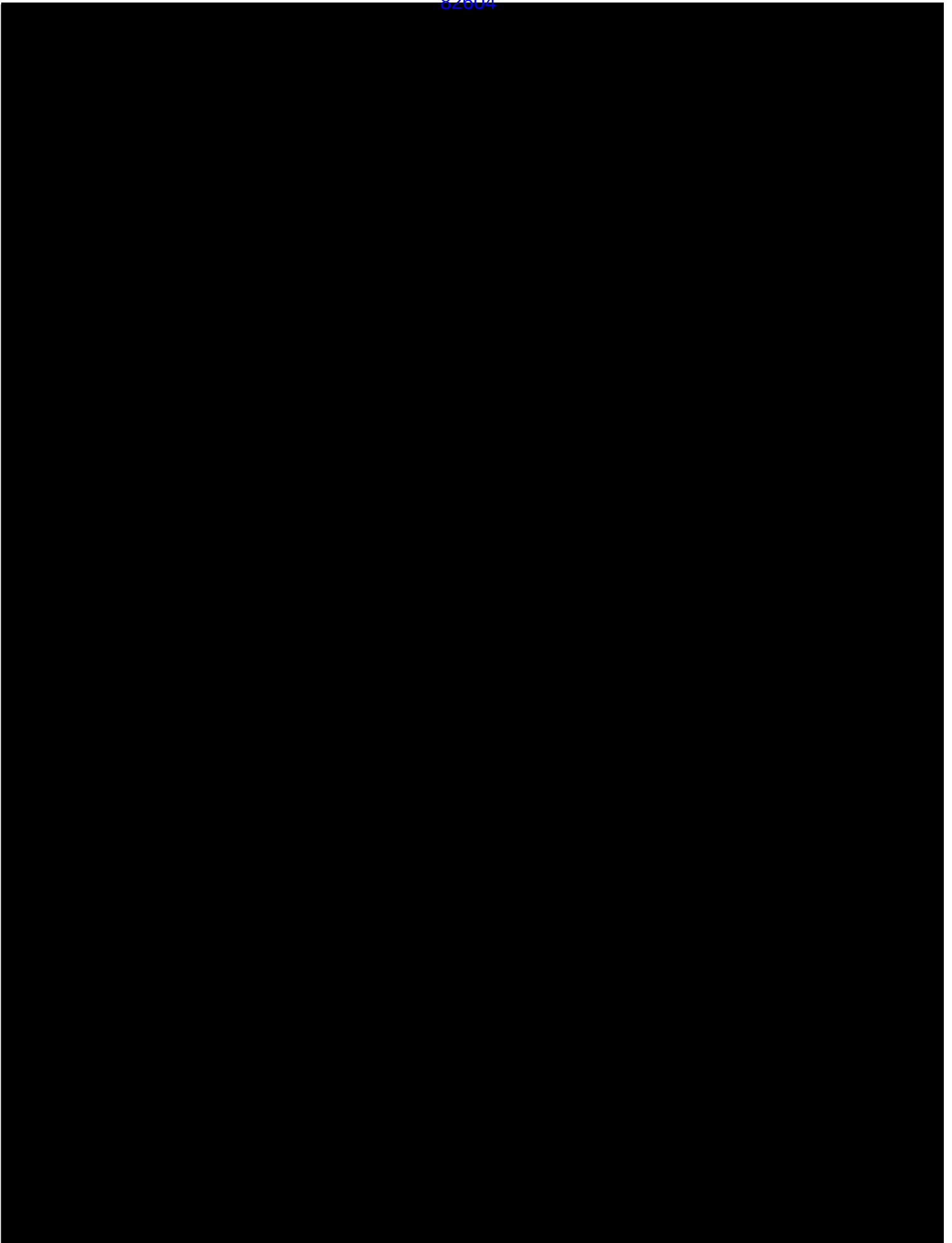
EXHIBIT 43

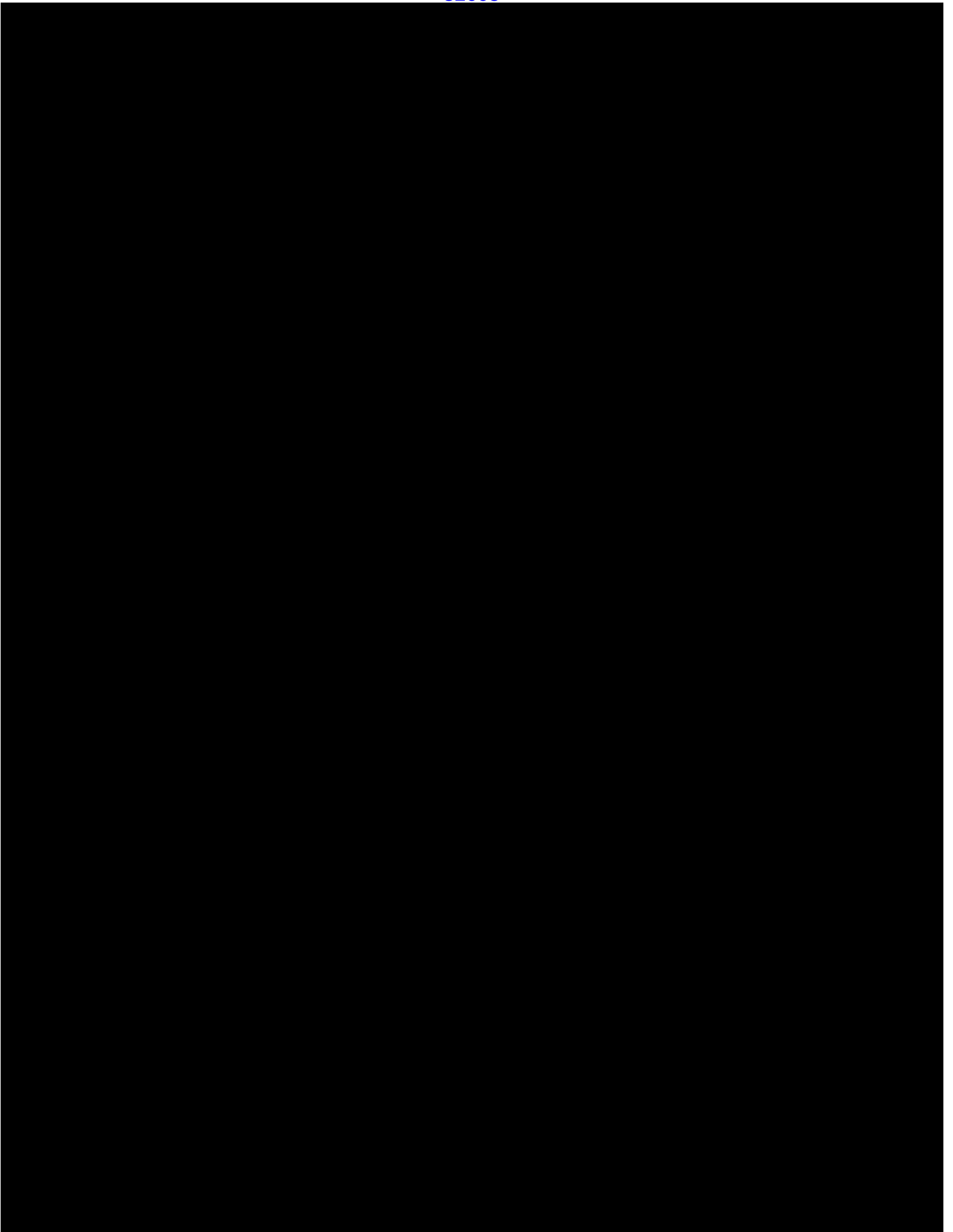


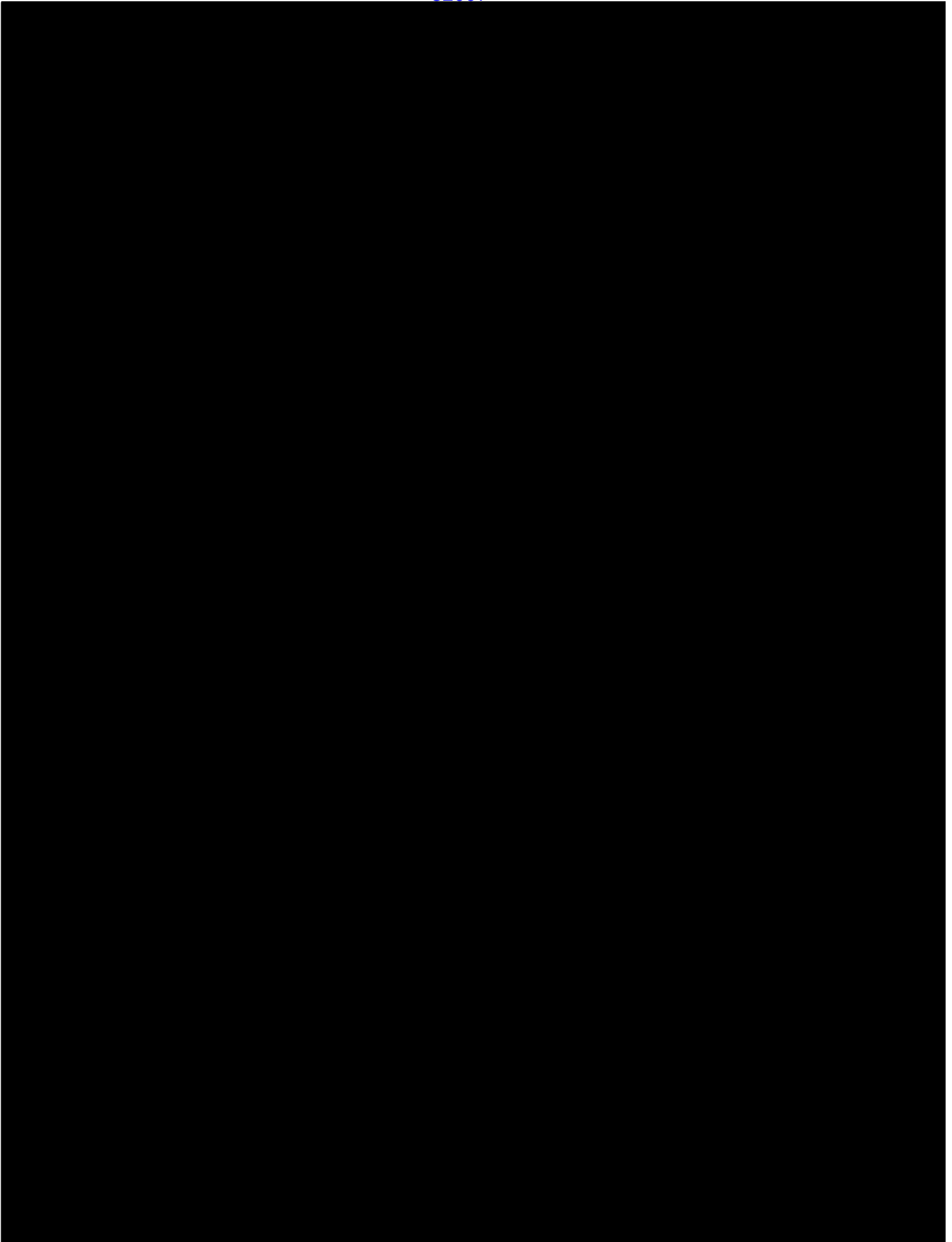


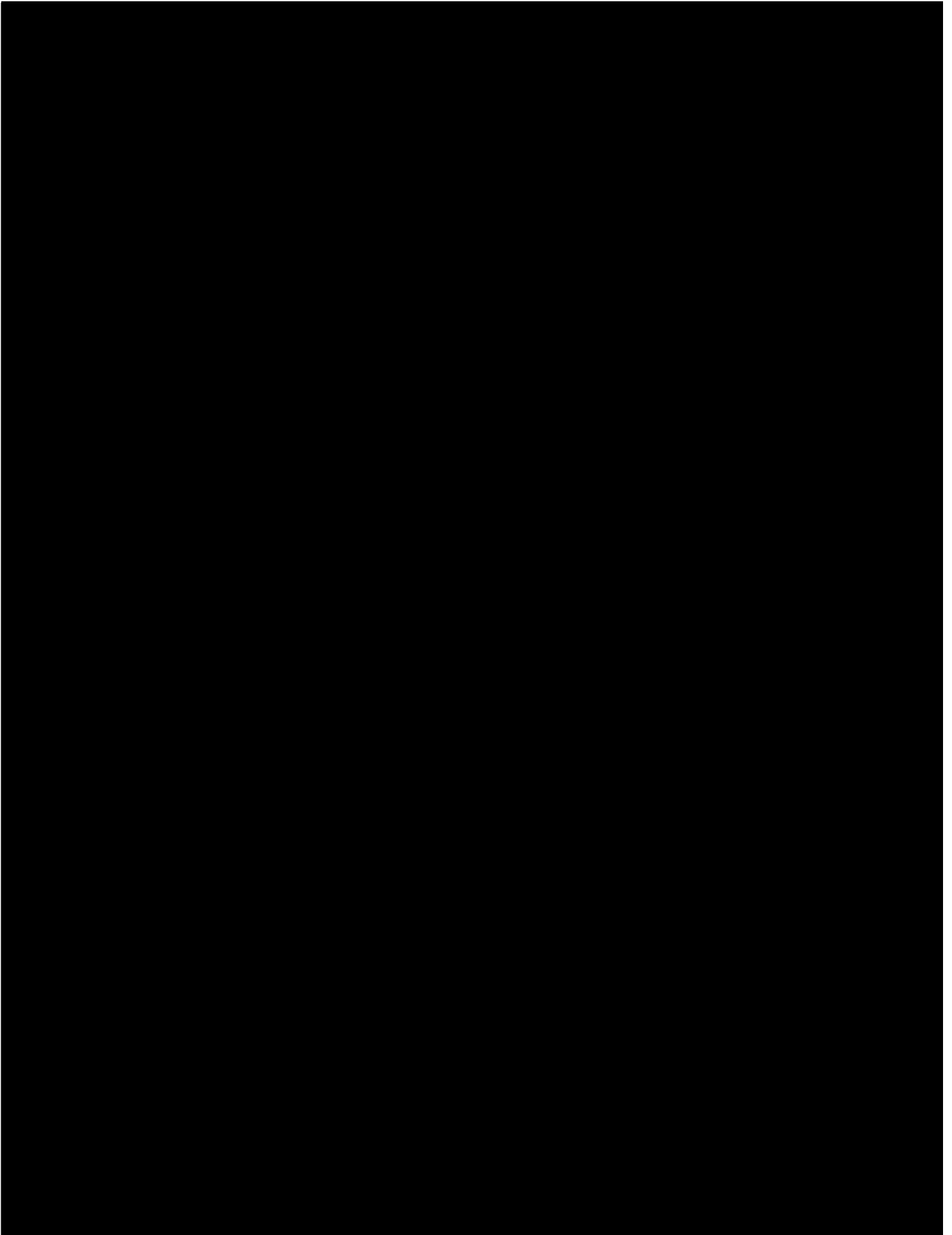


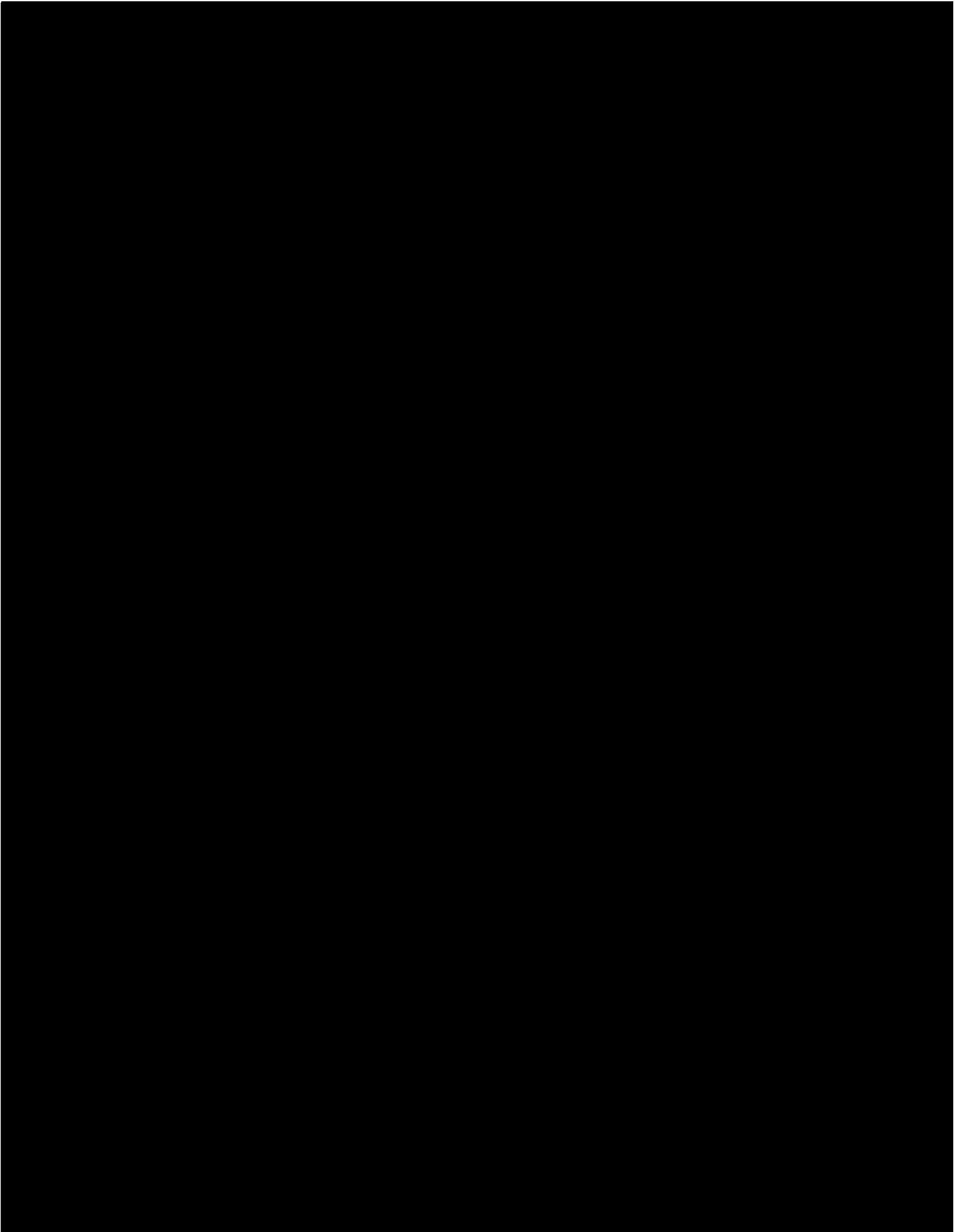


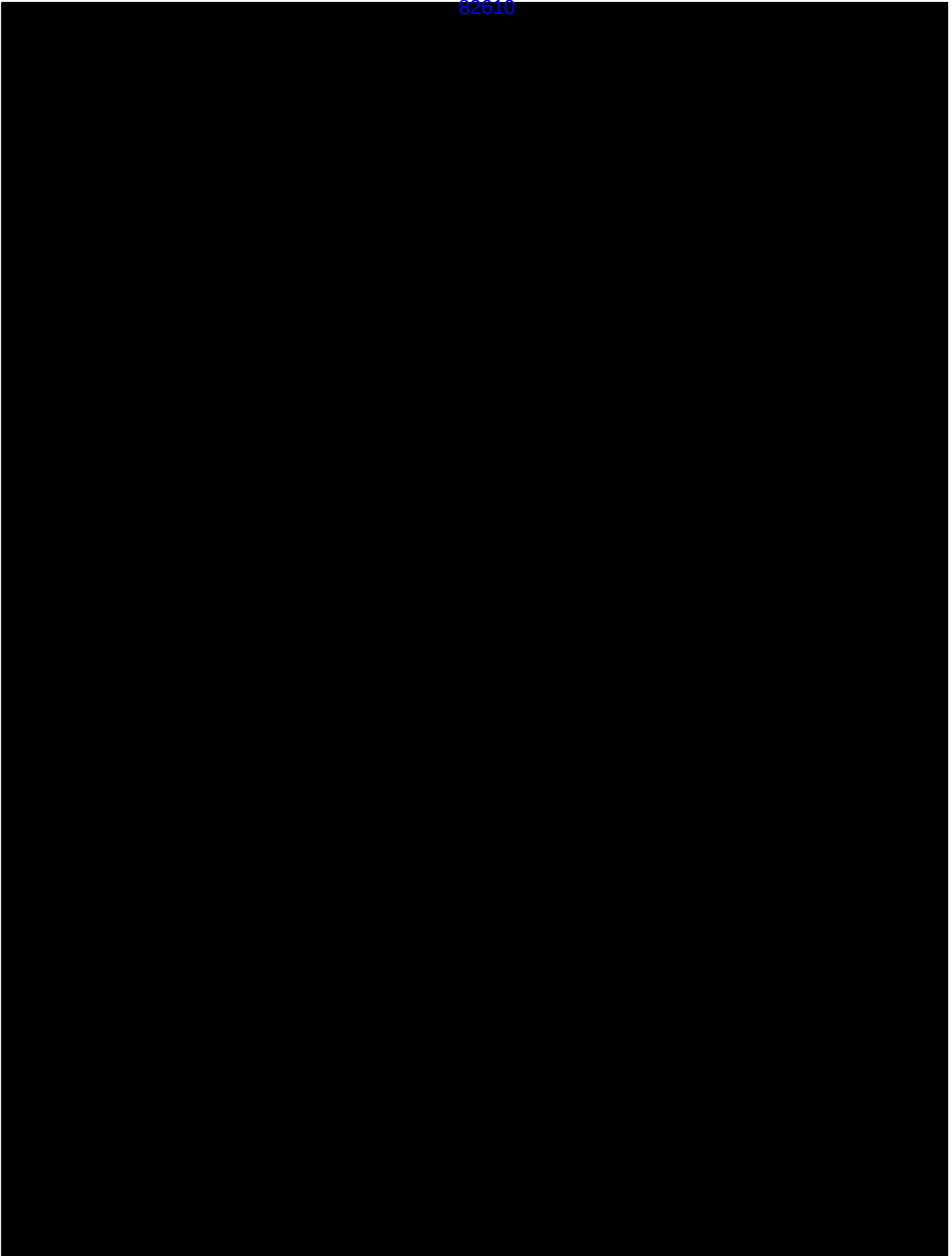


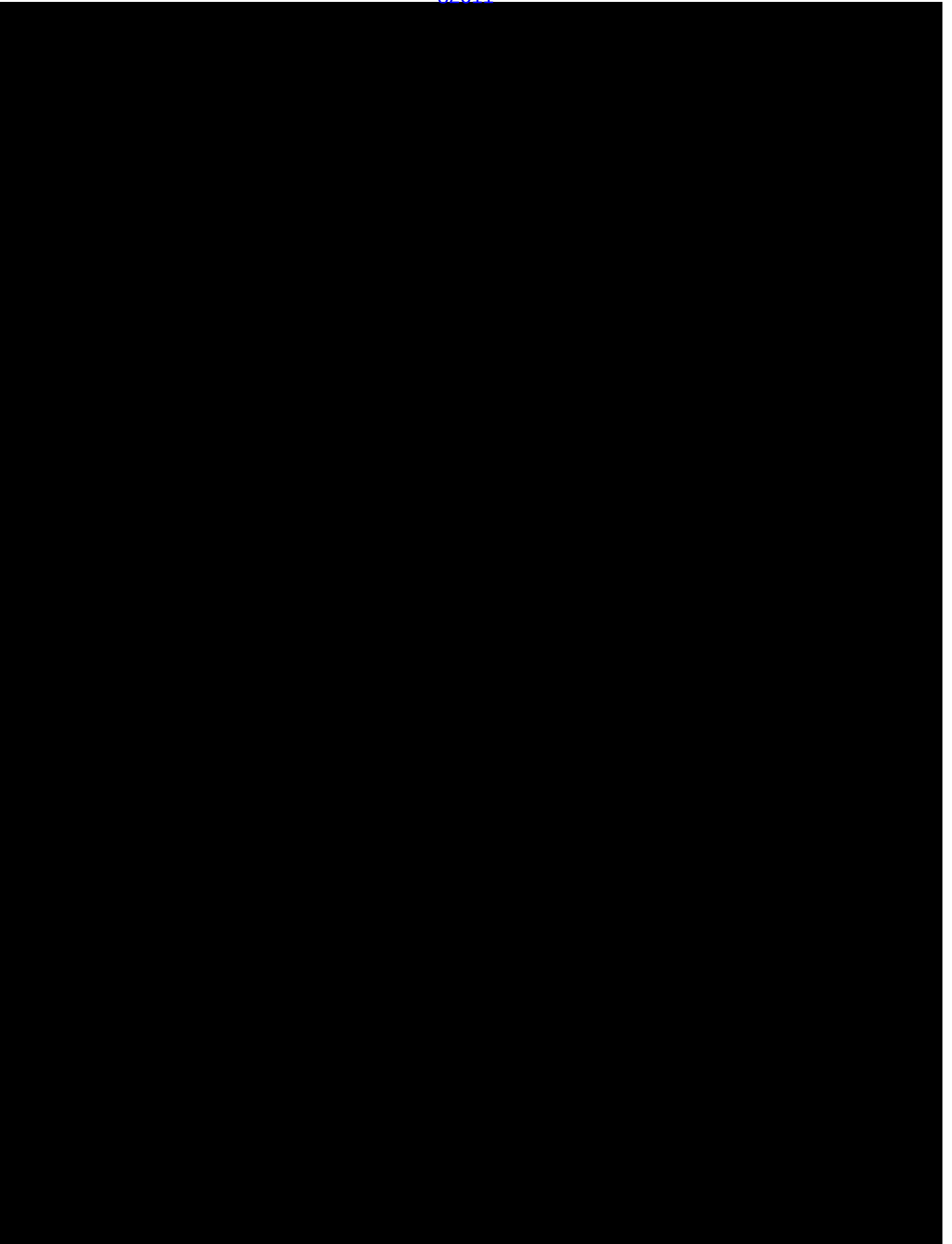


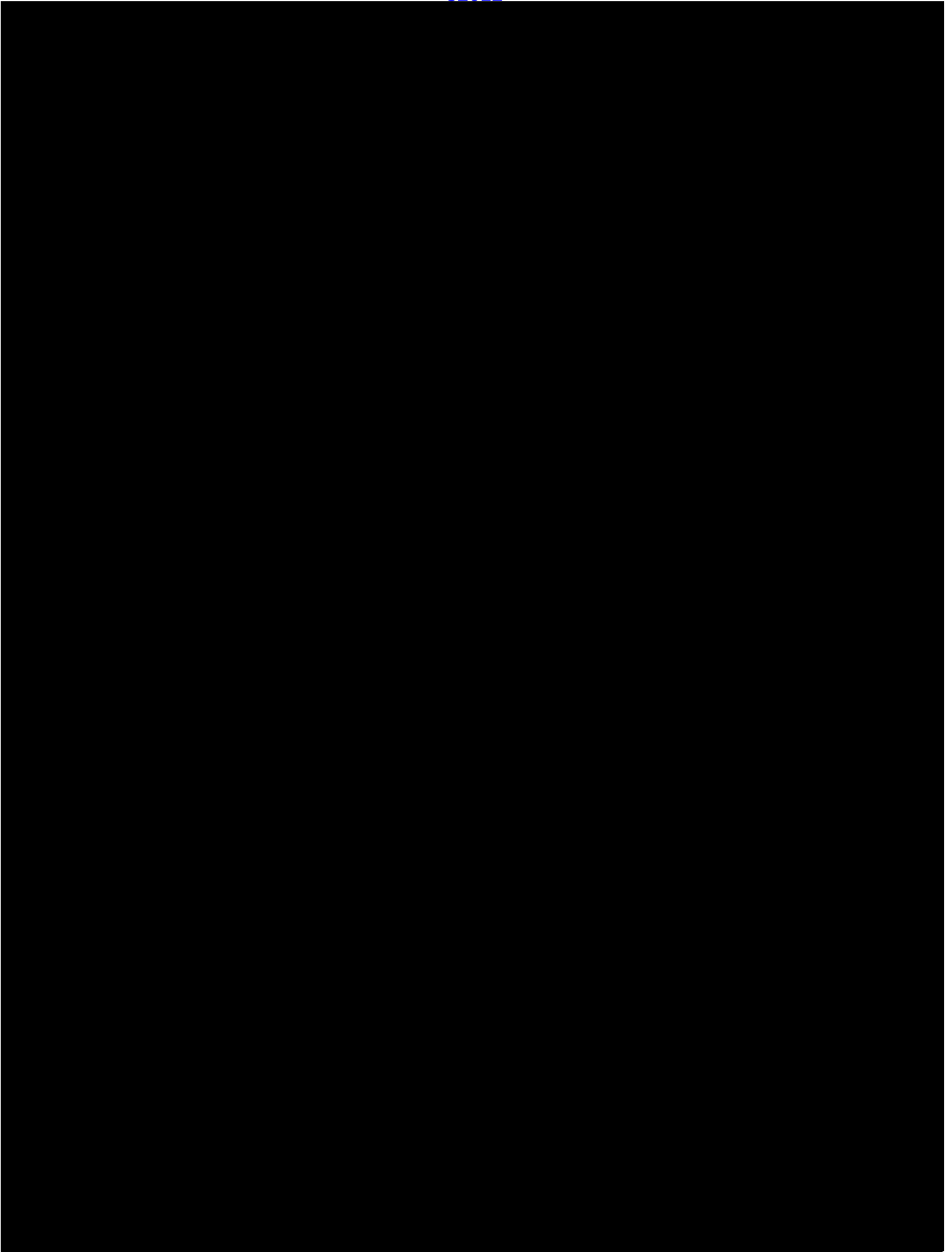


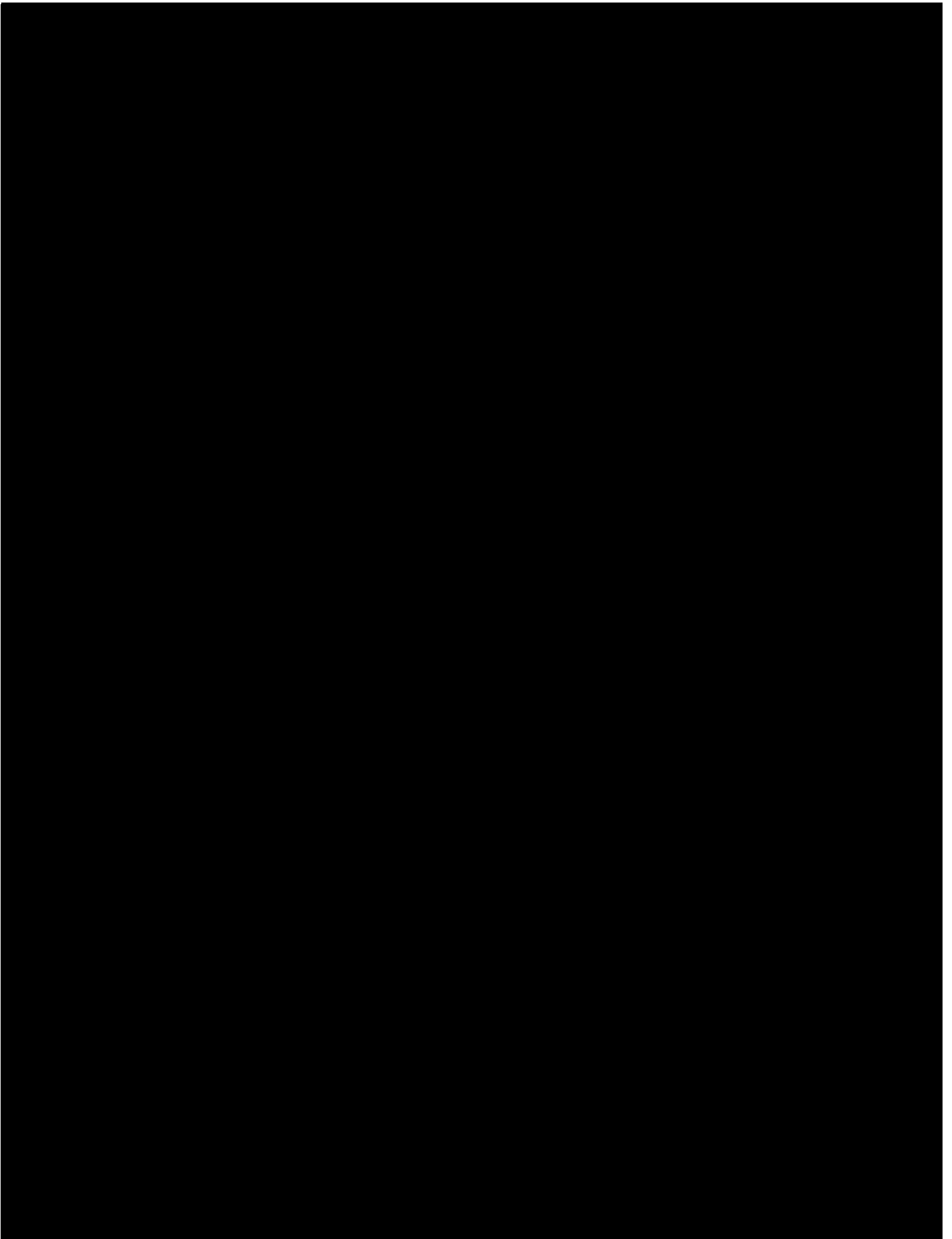


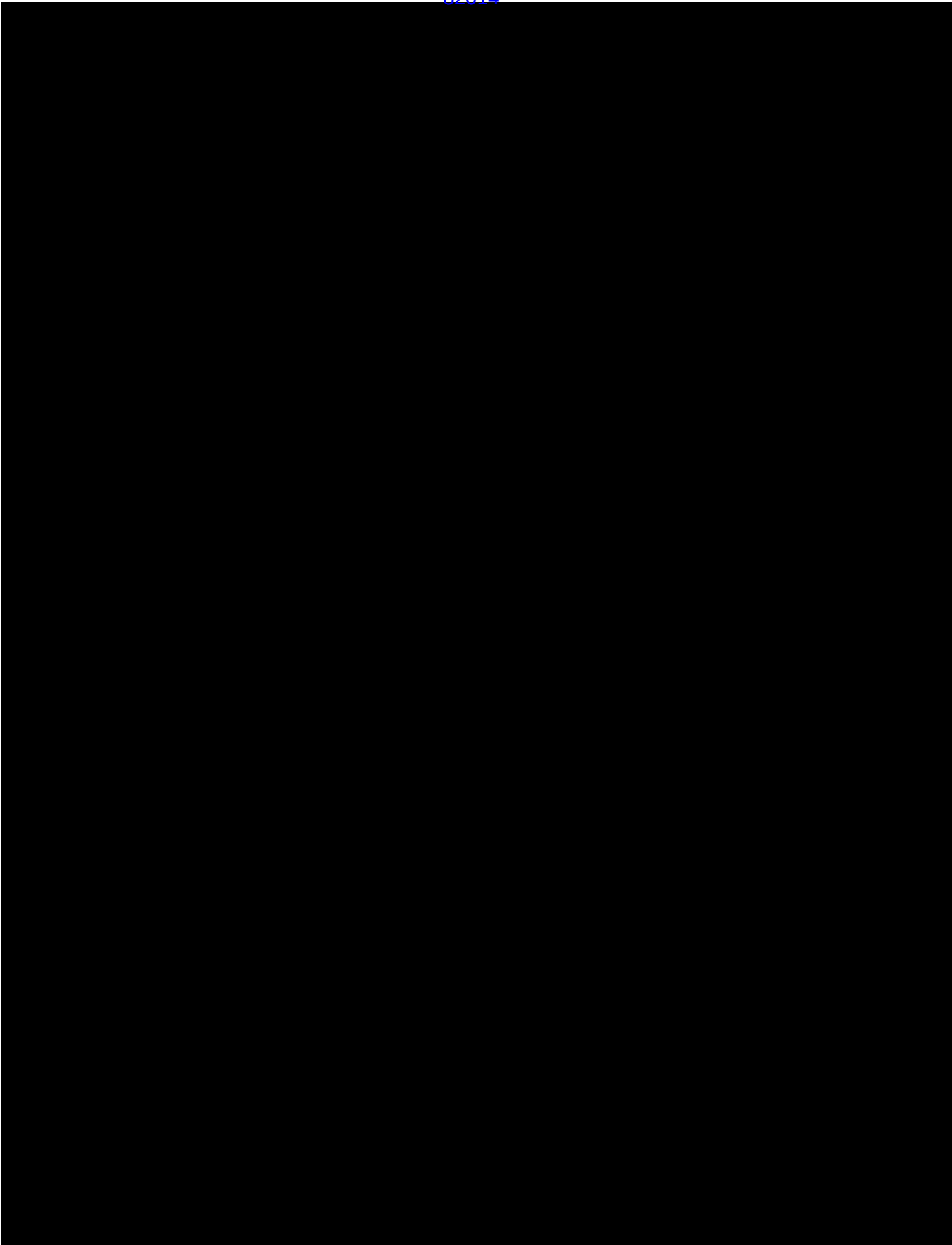


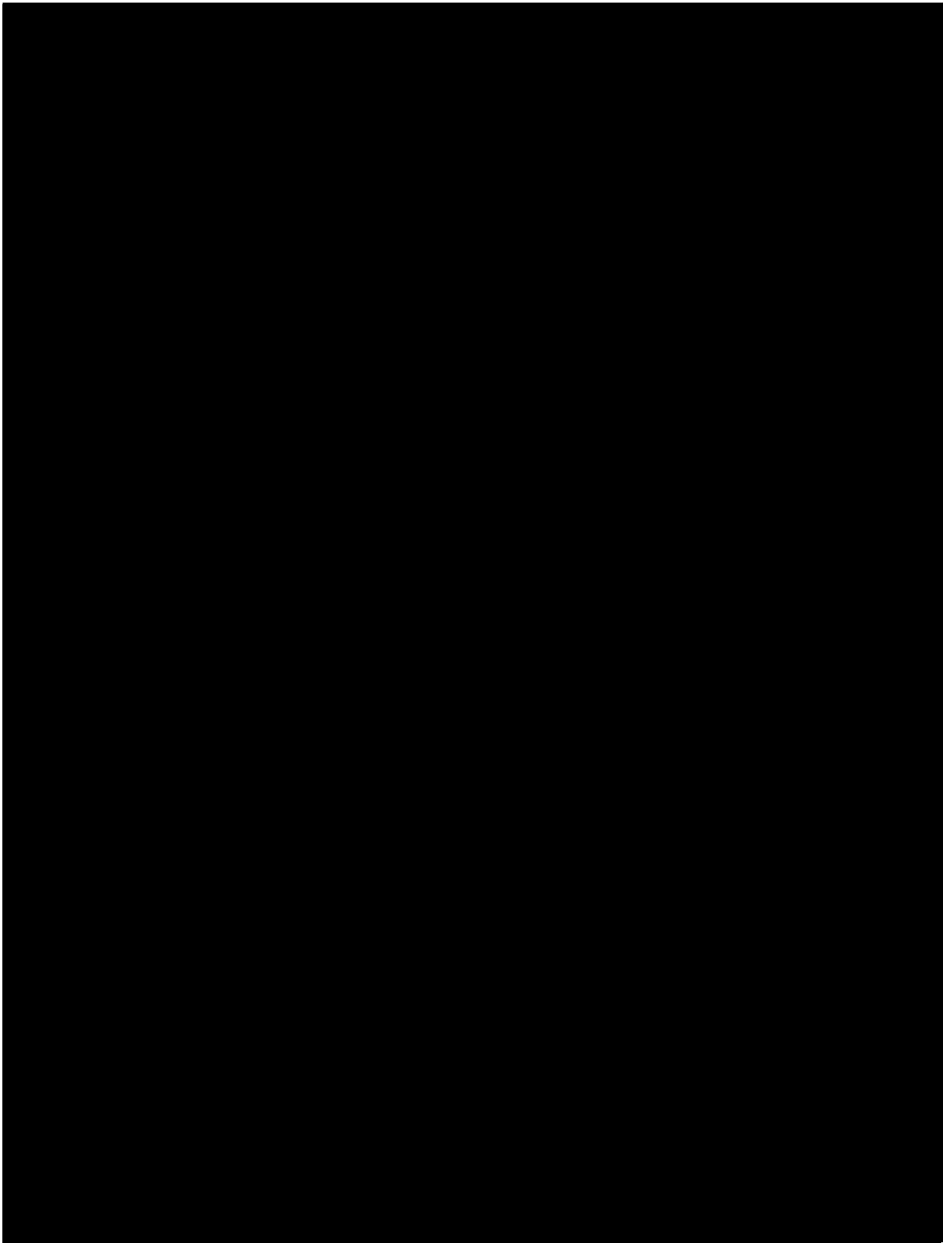


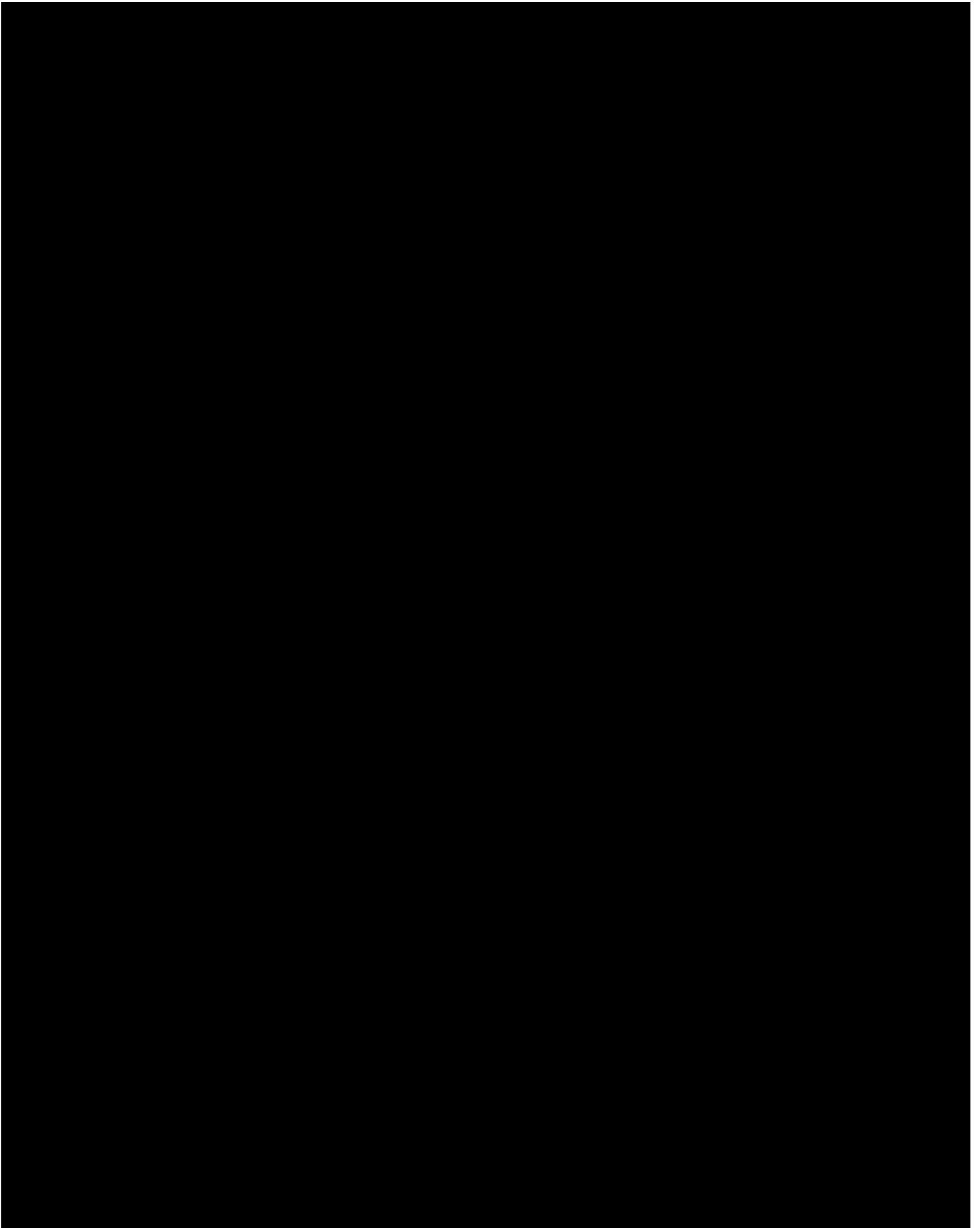


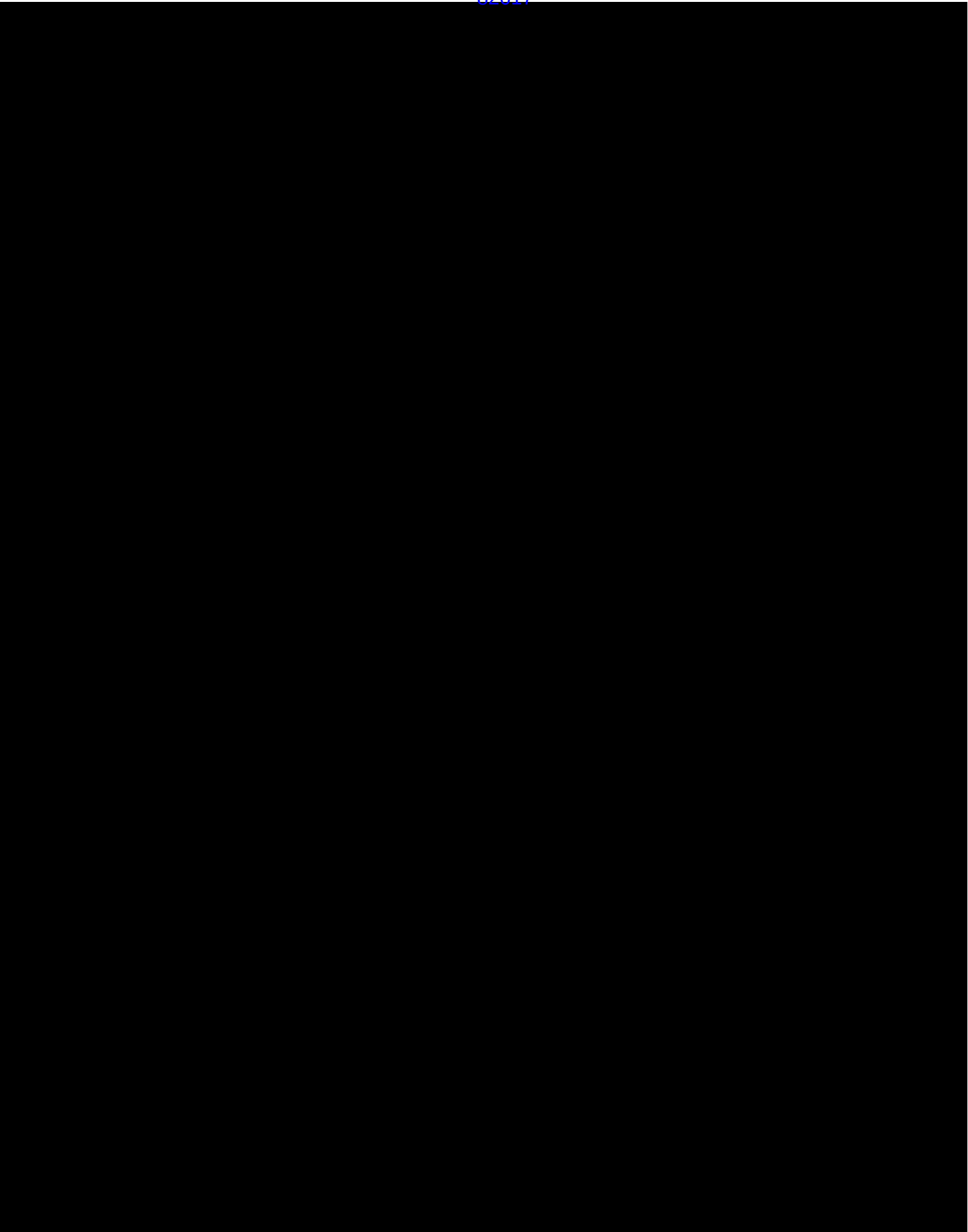


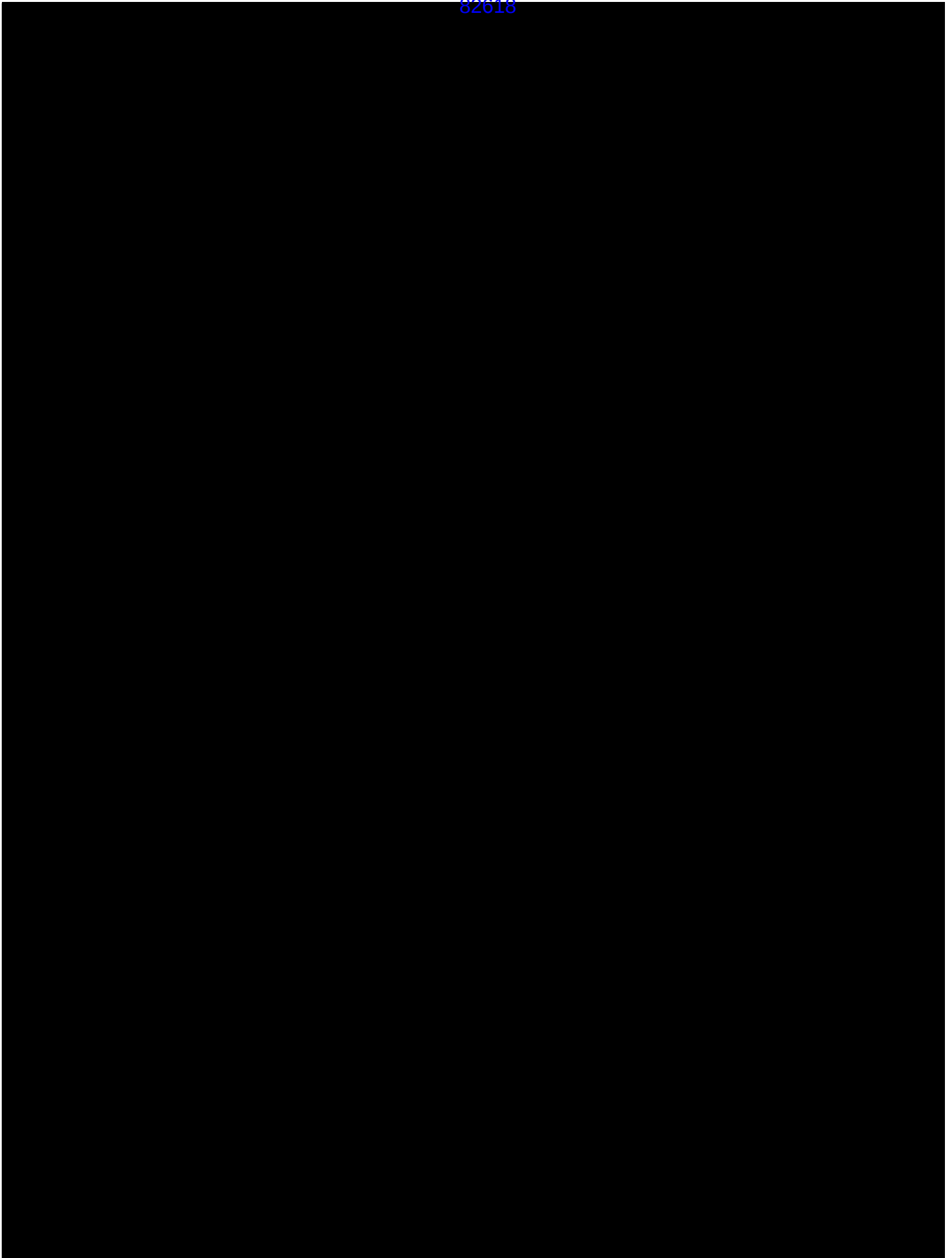


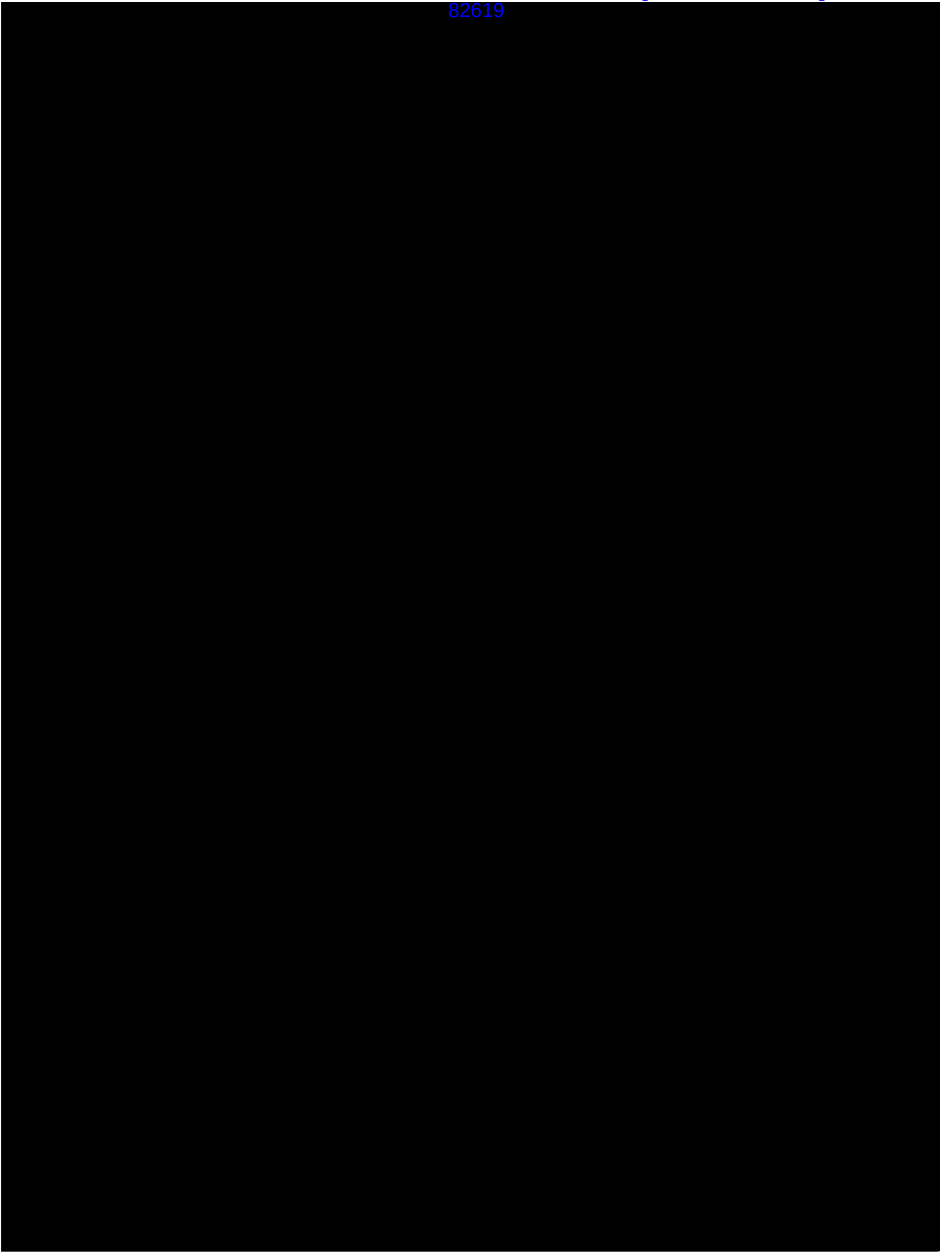


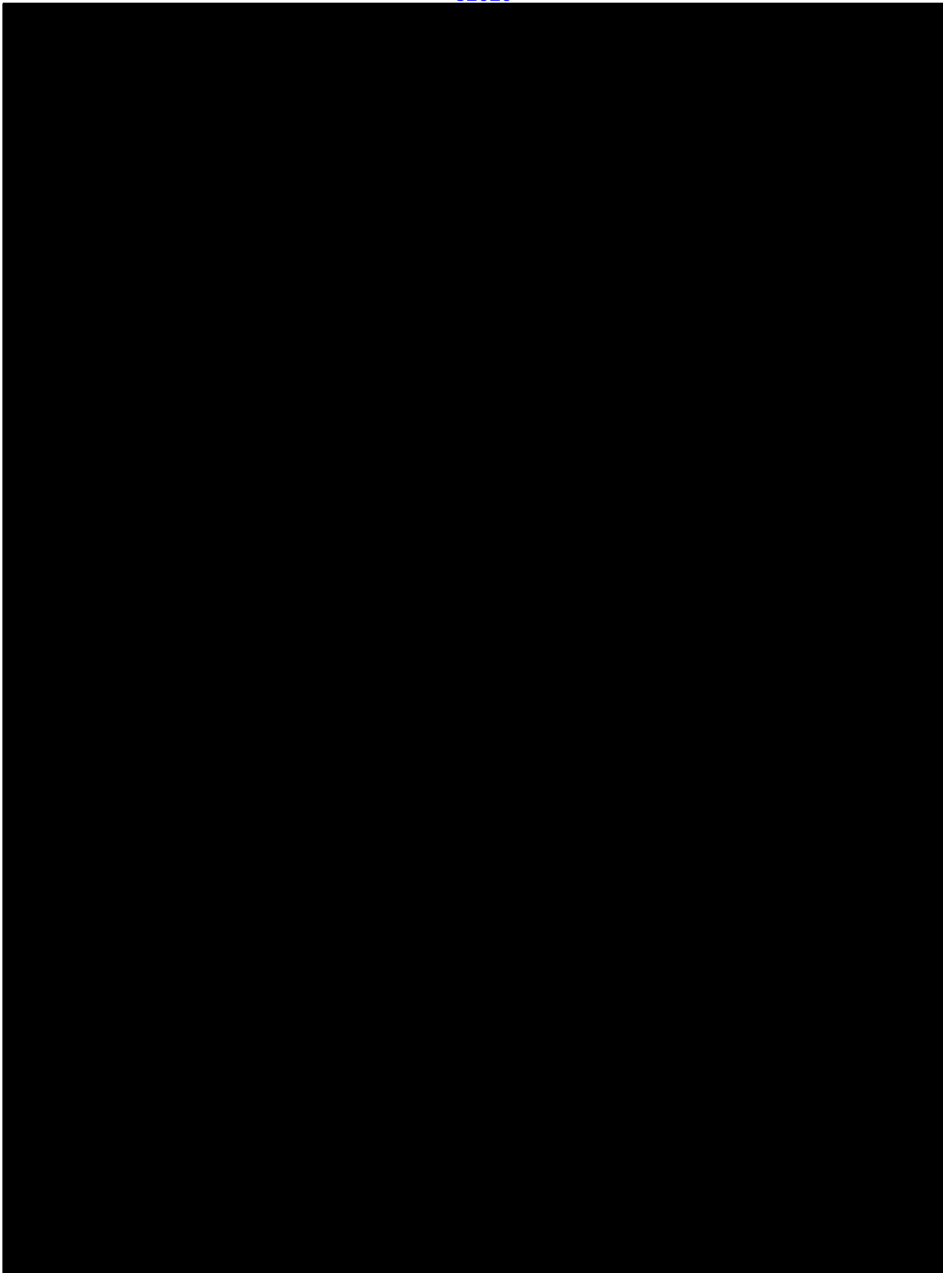












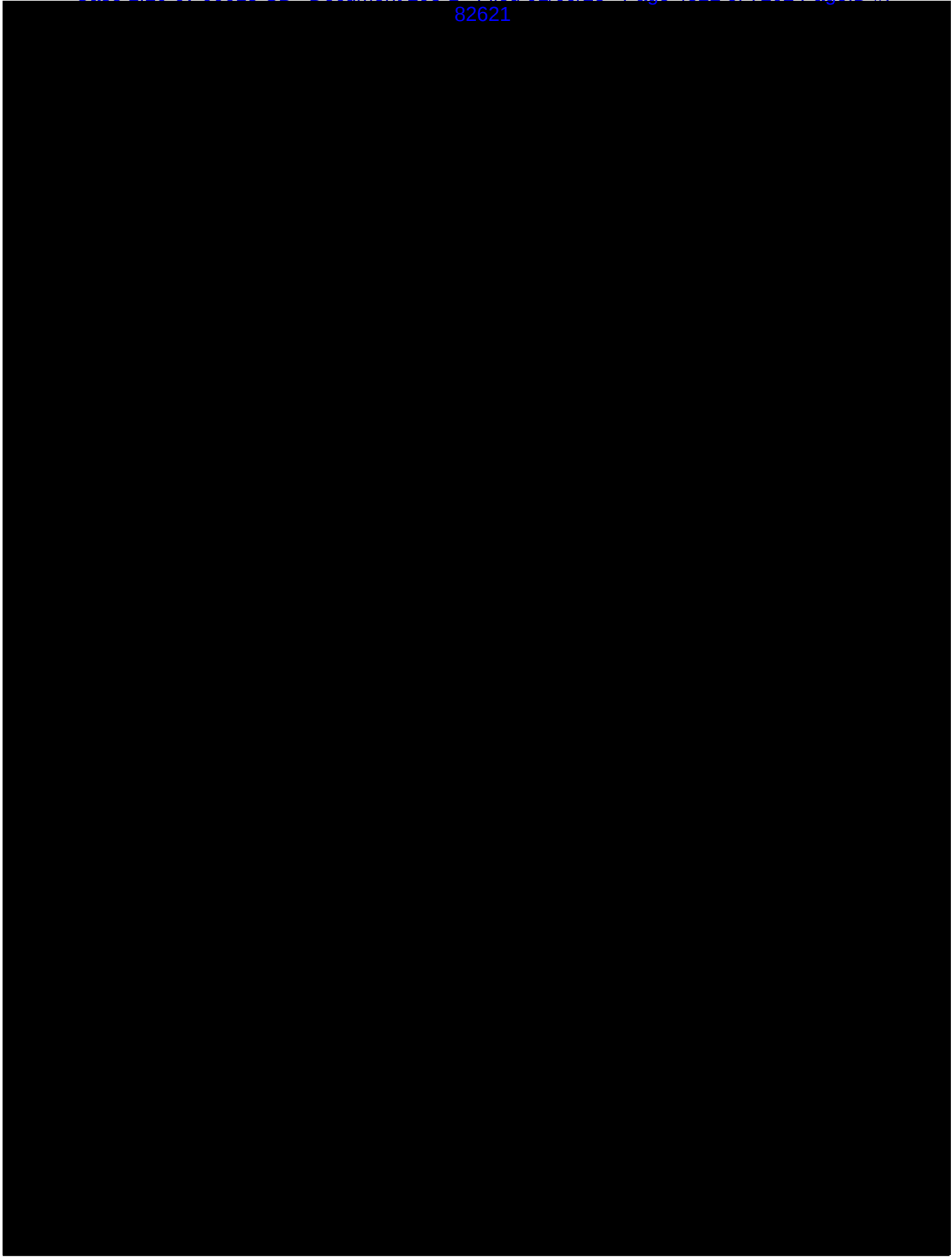
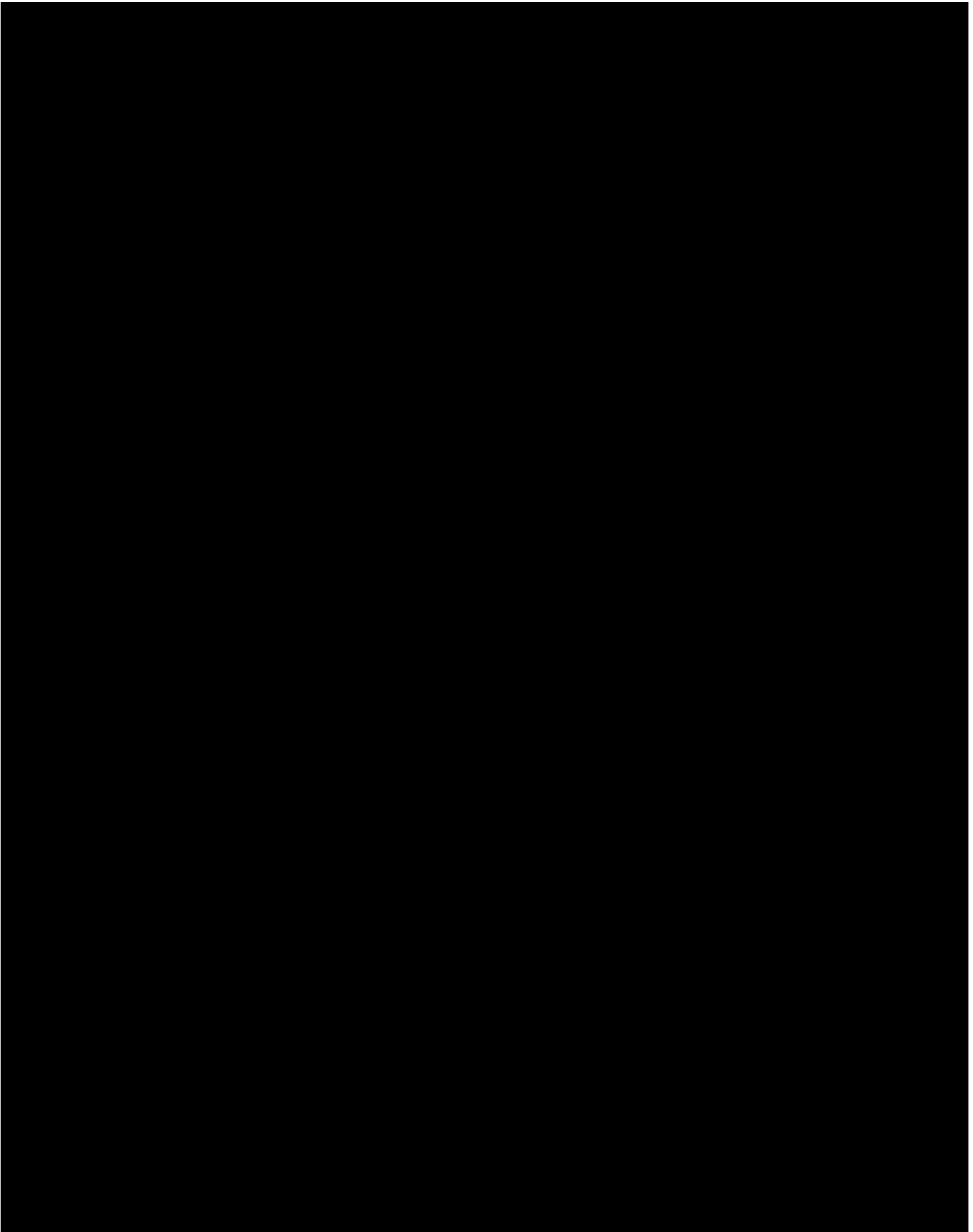


EXHIBIT 44



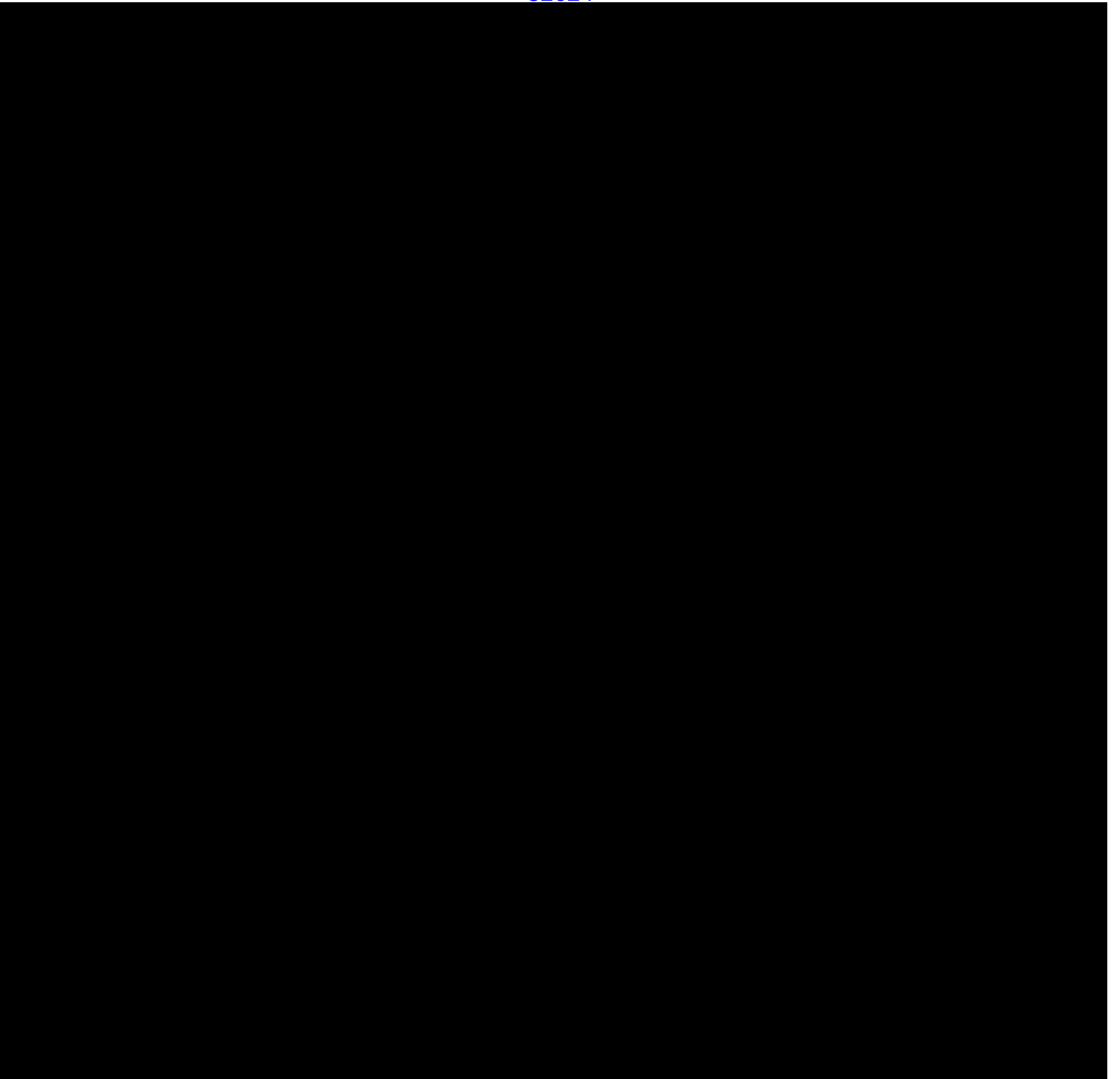
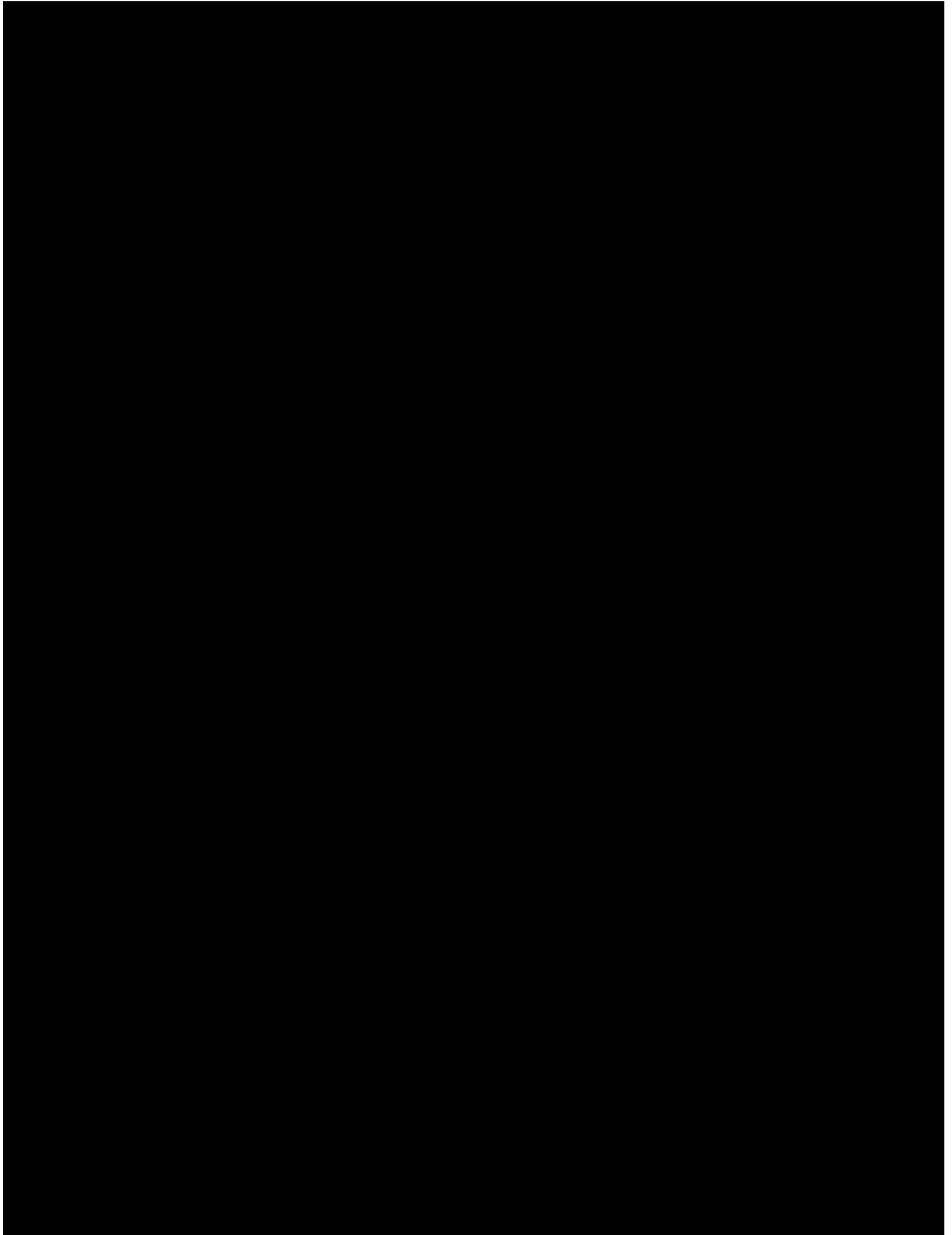


EXHIBIT 45



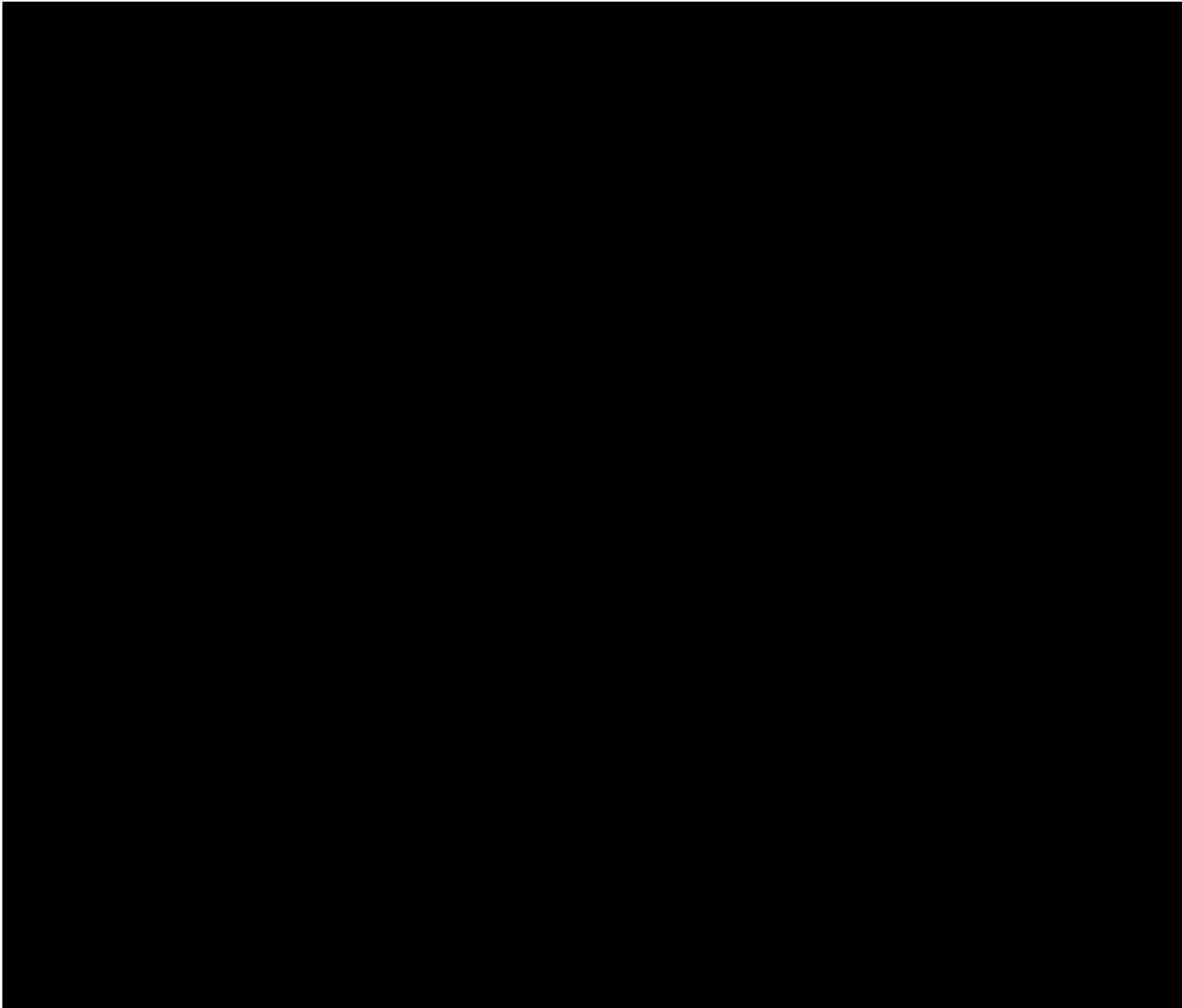
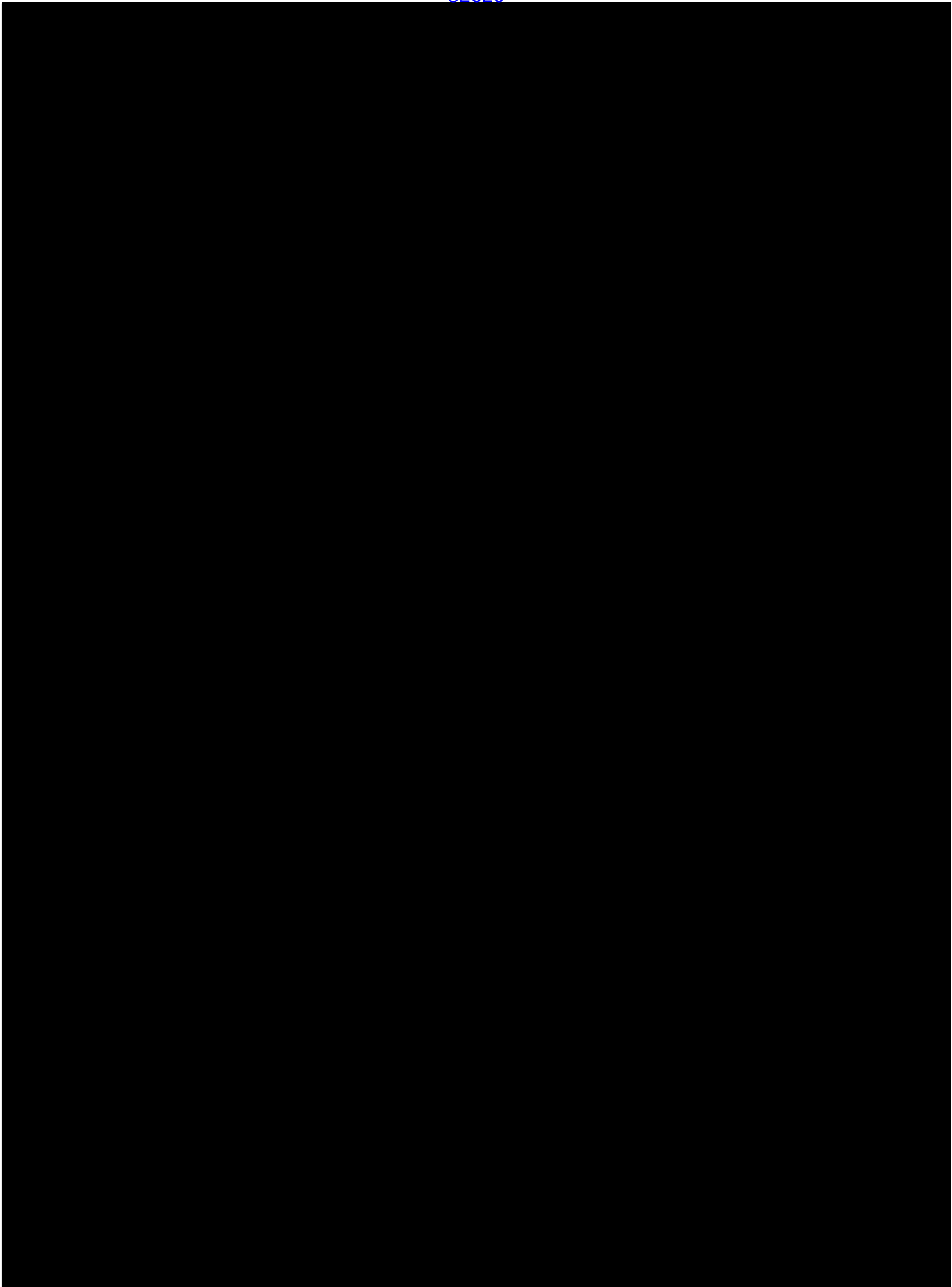
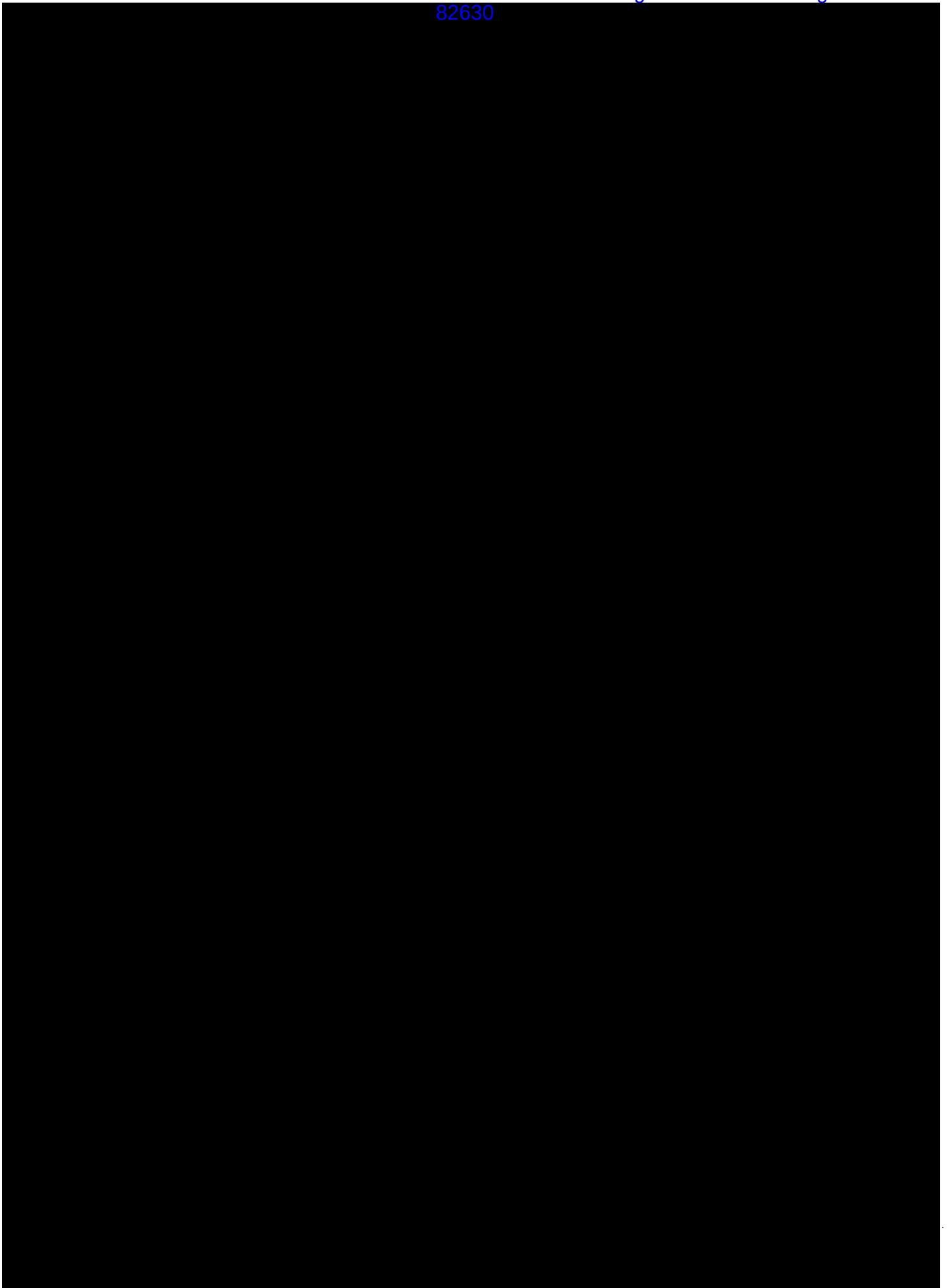
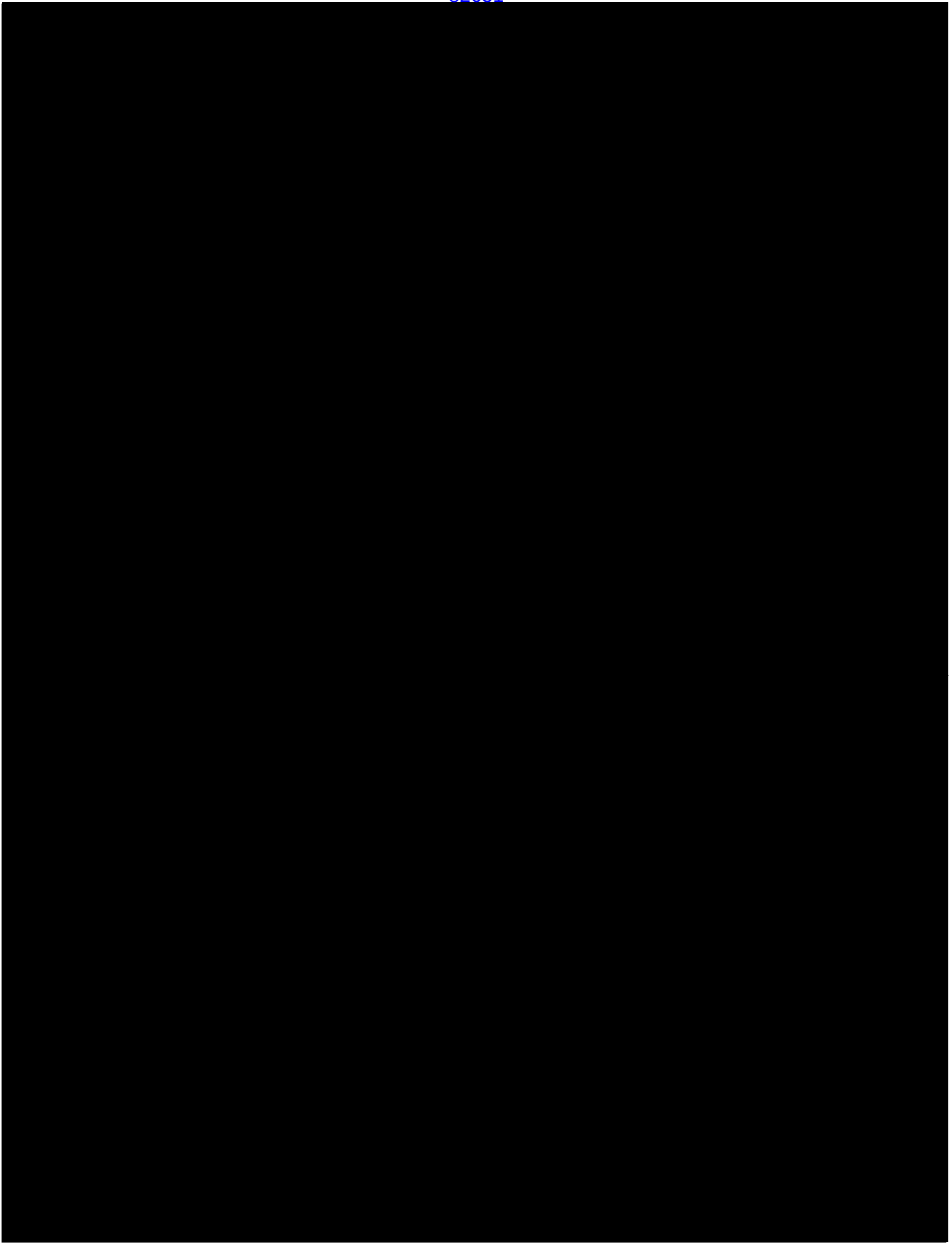
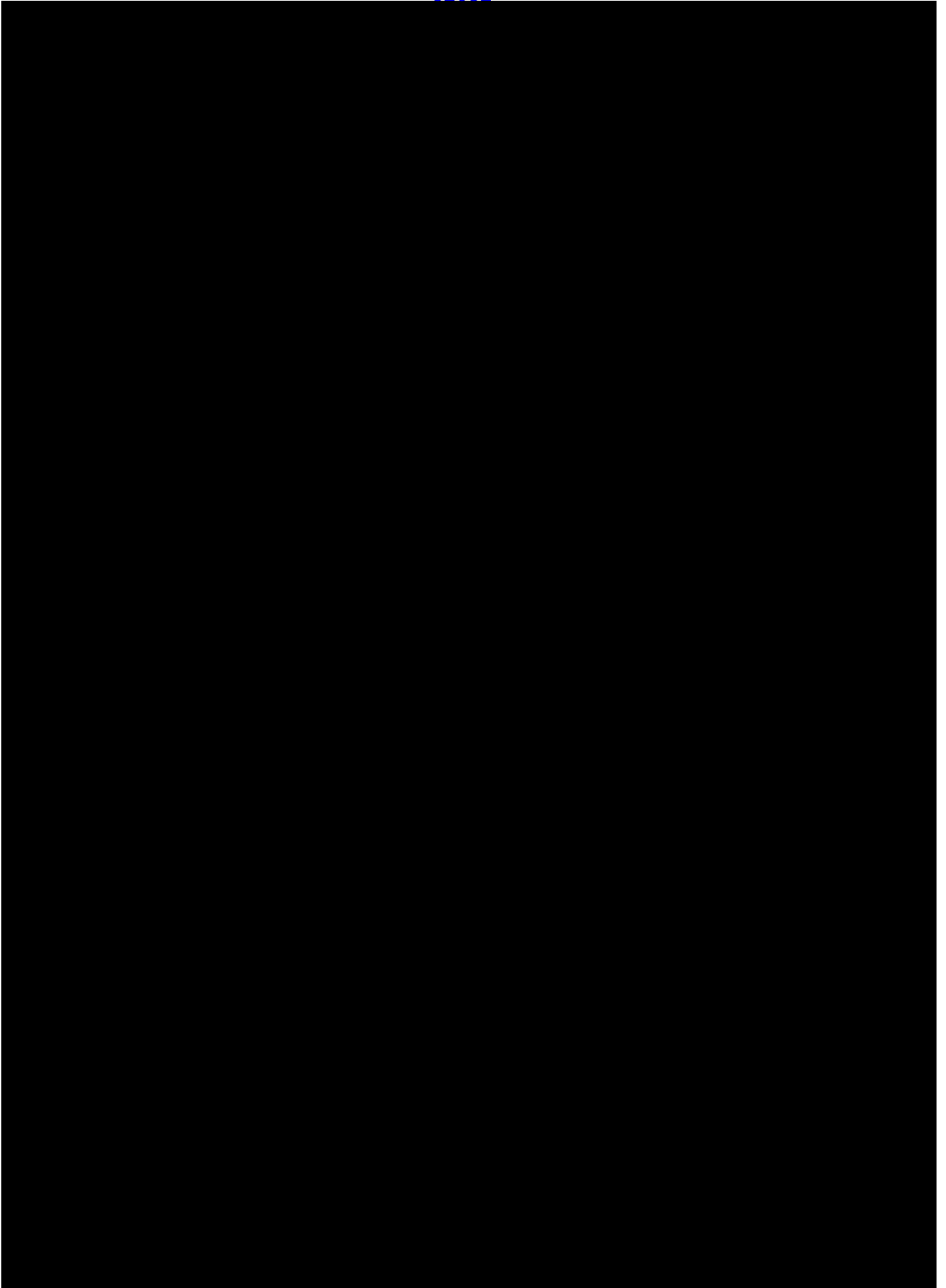


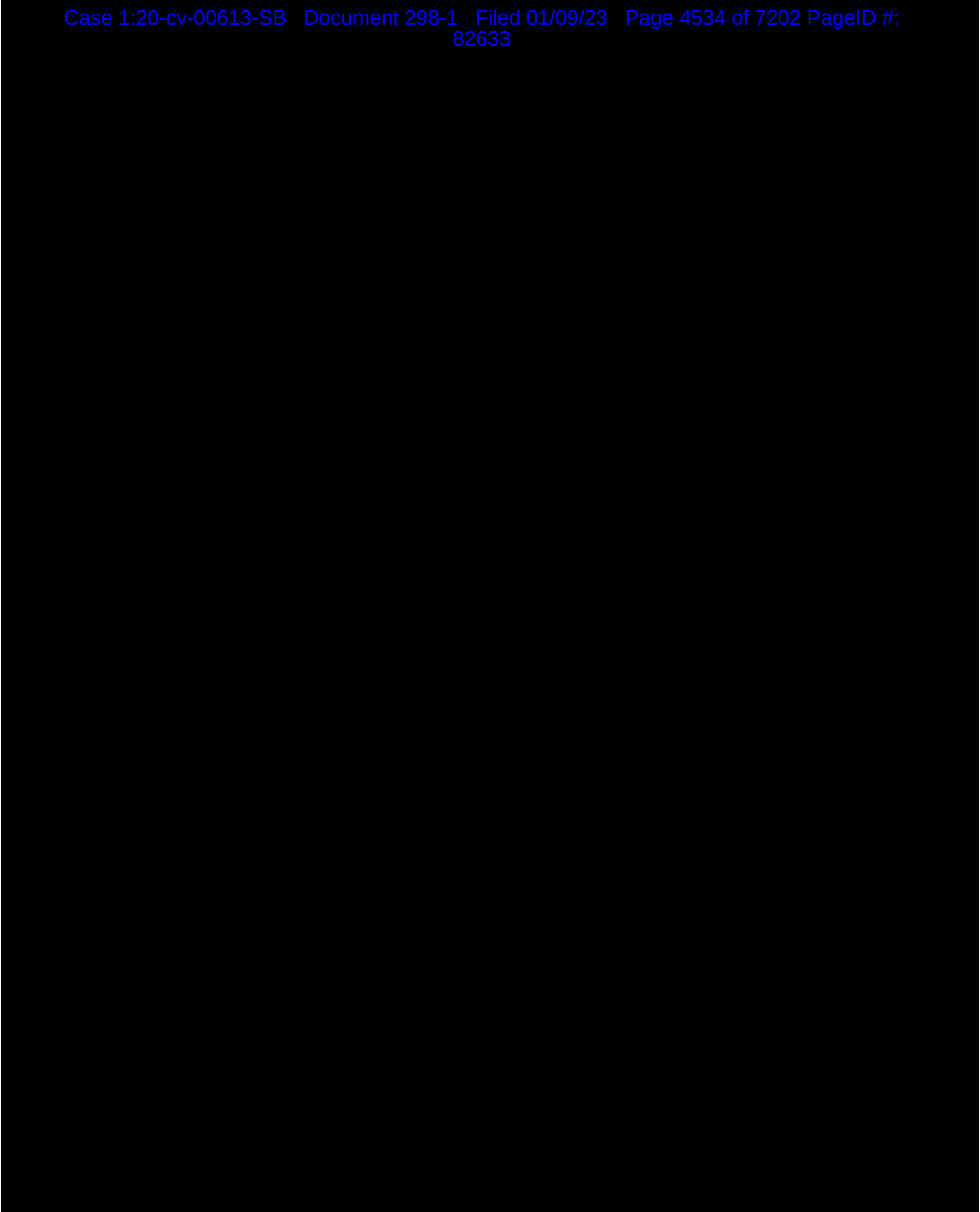
EXHIBIT 46

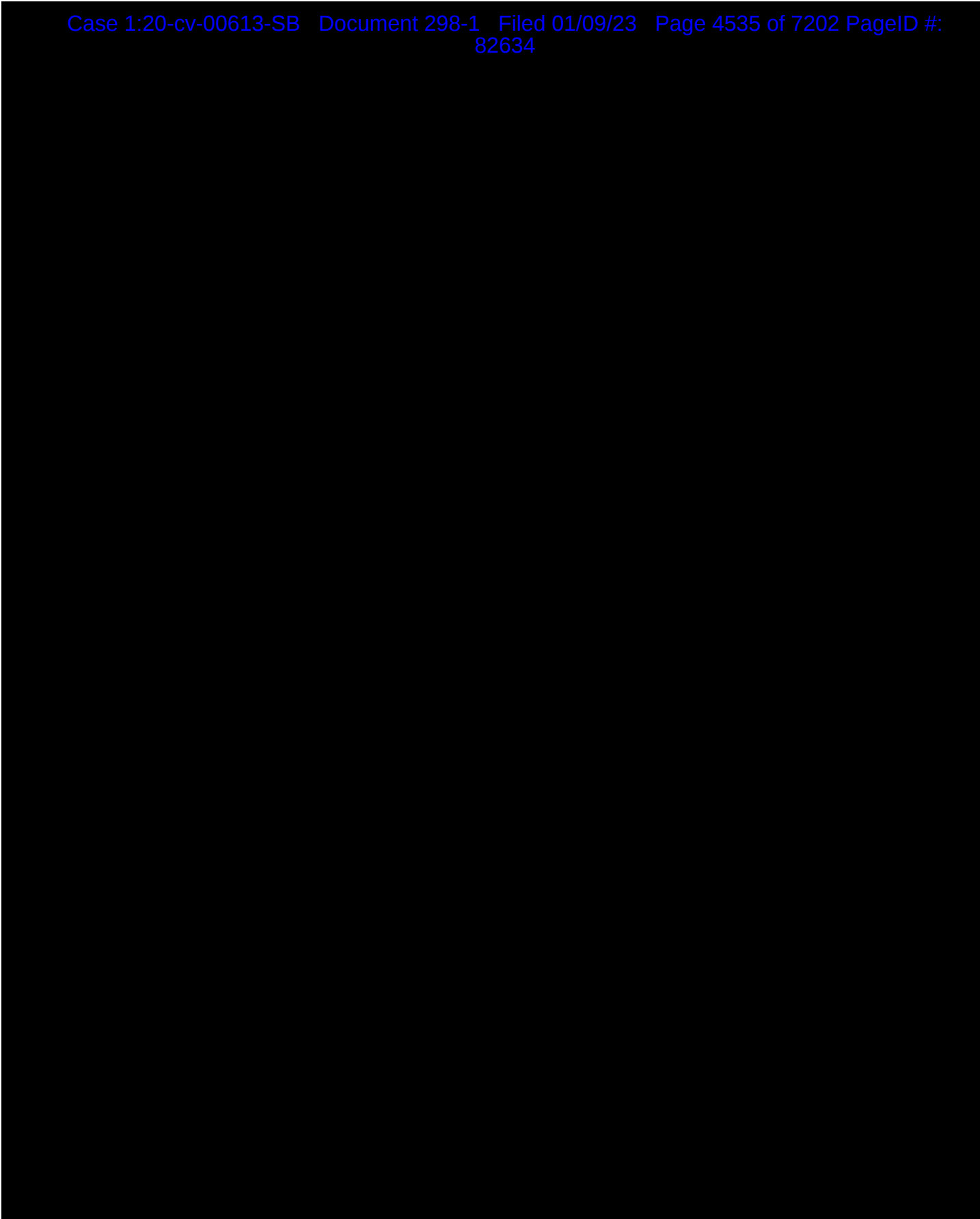




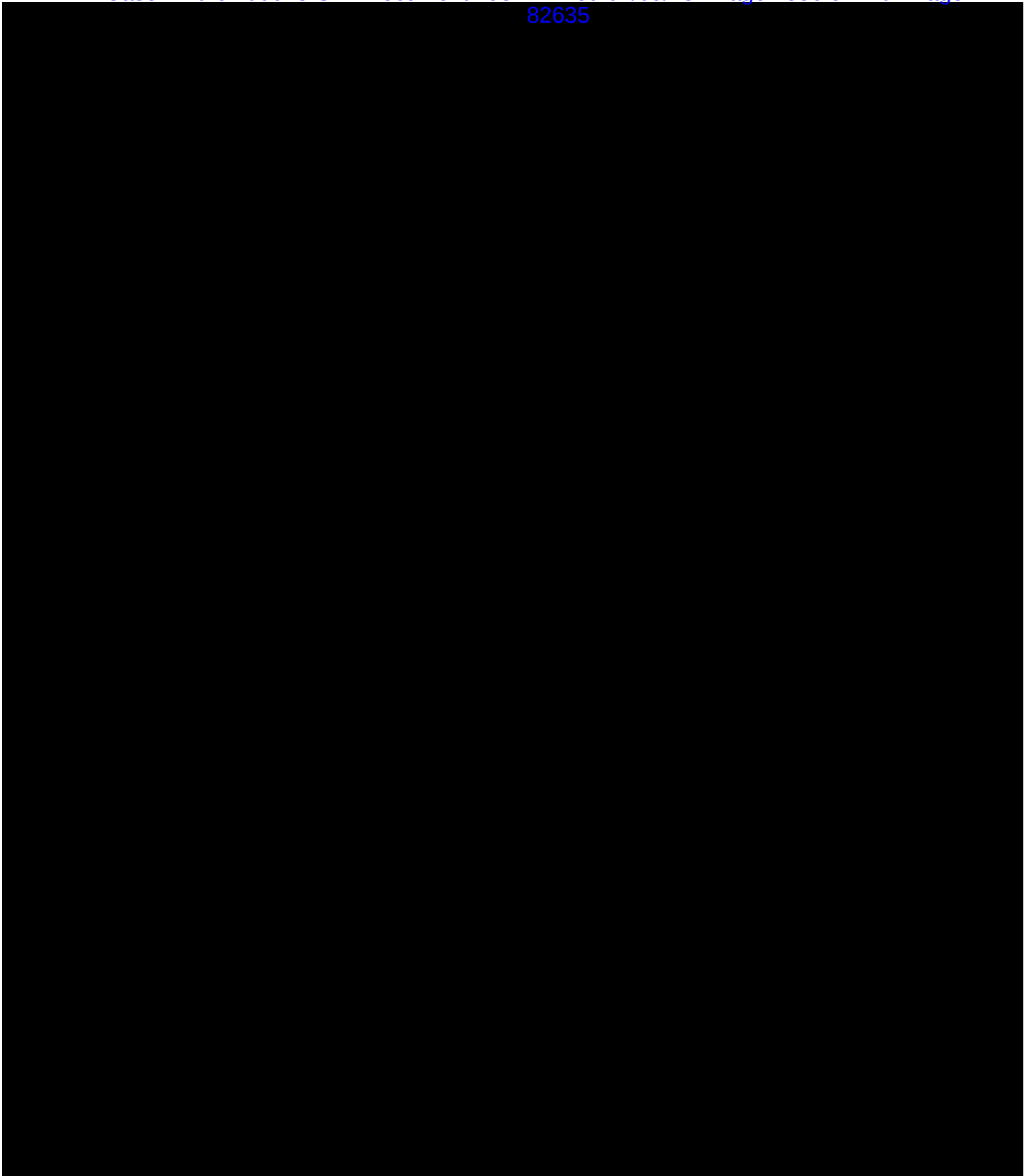




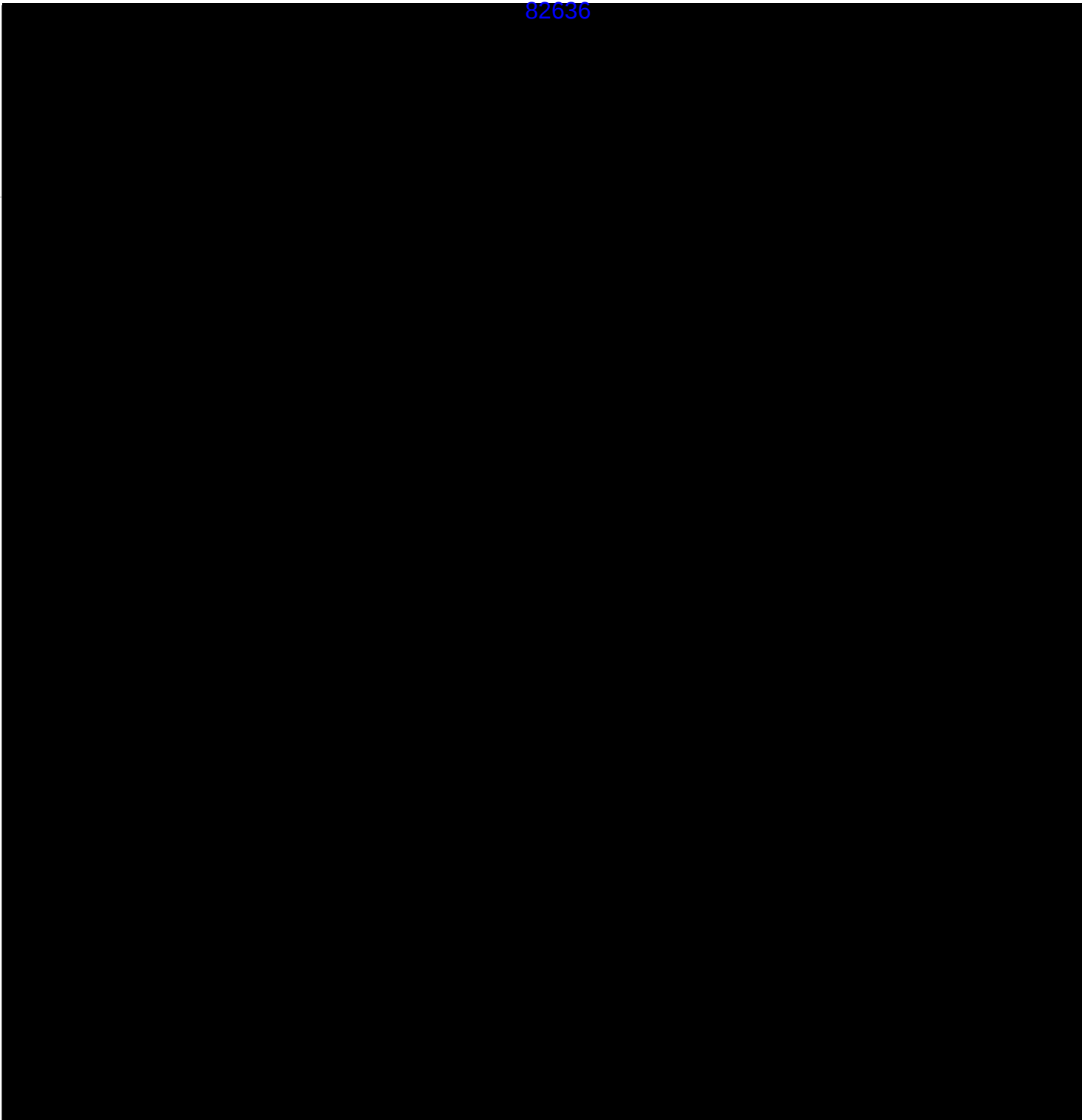




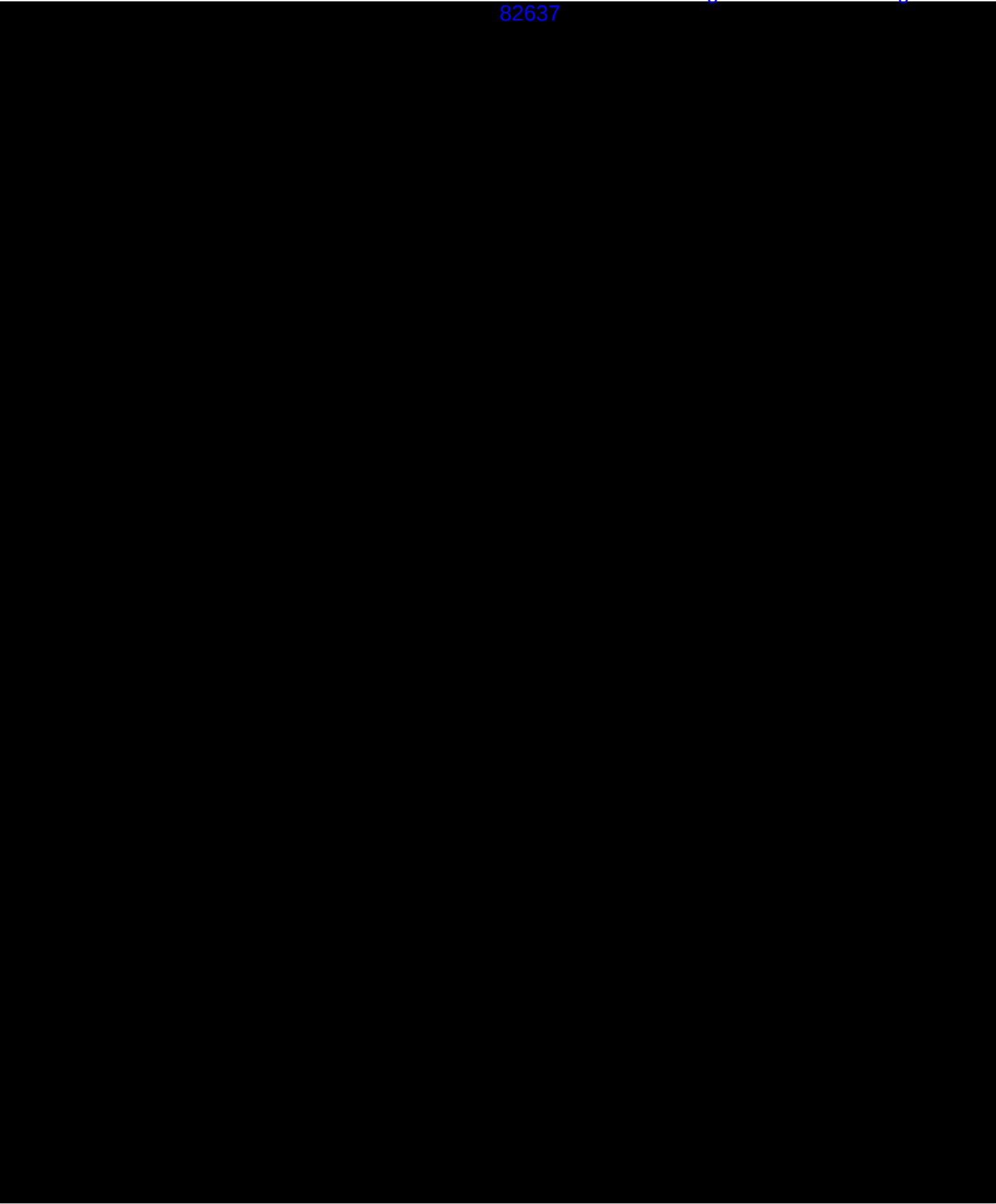
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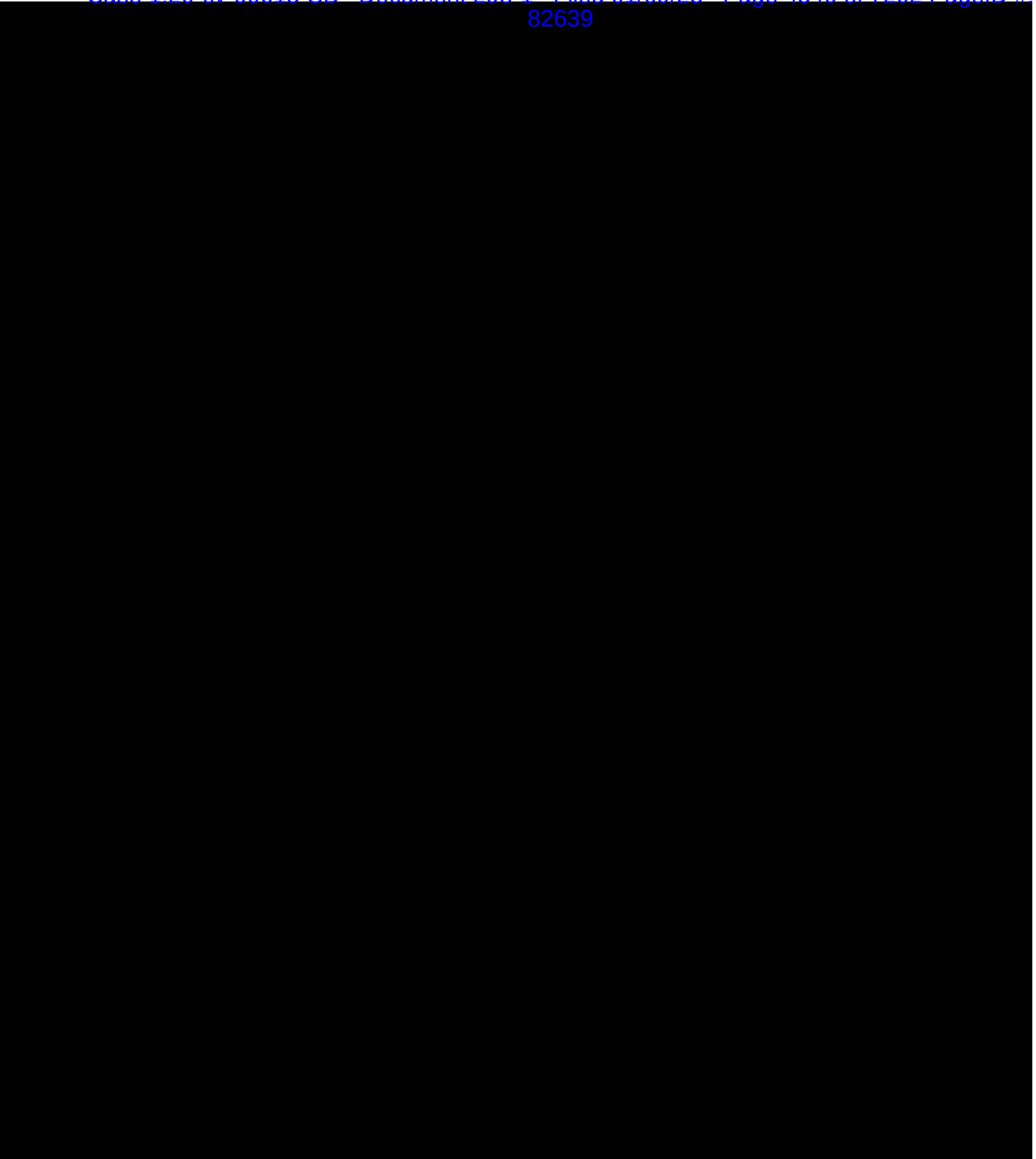
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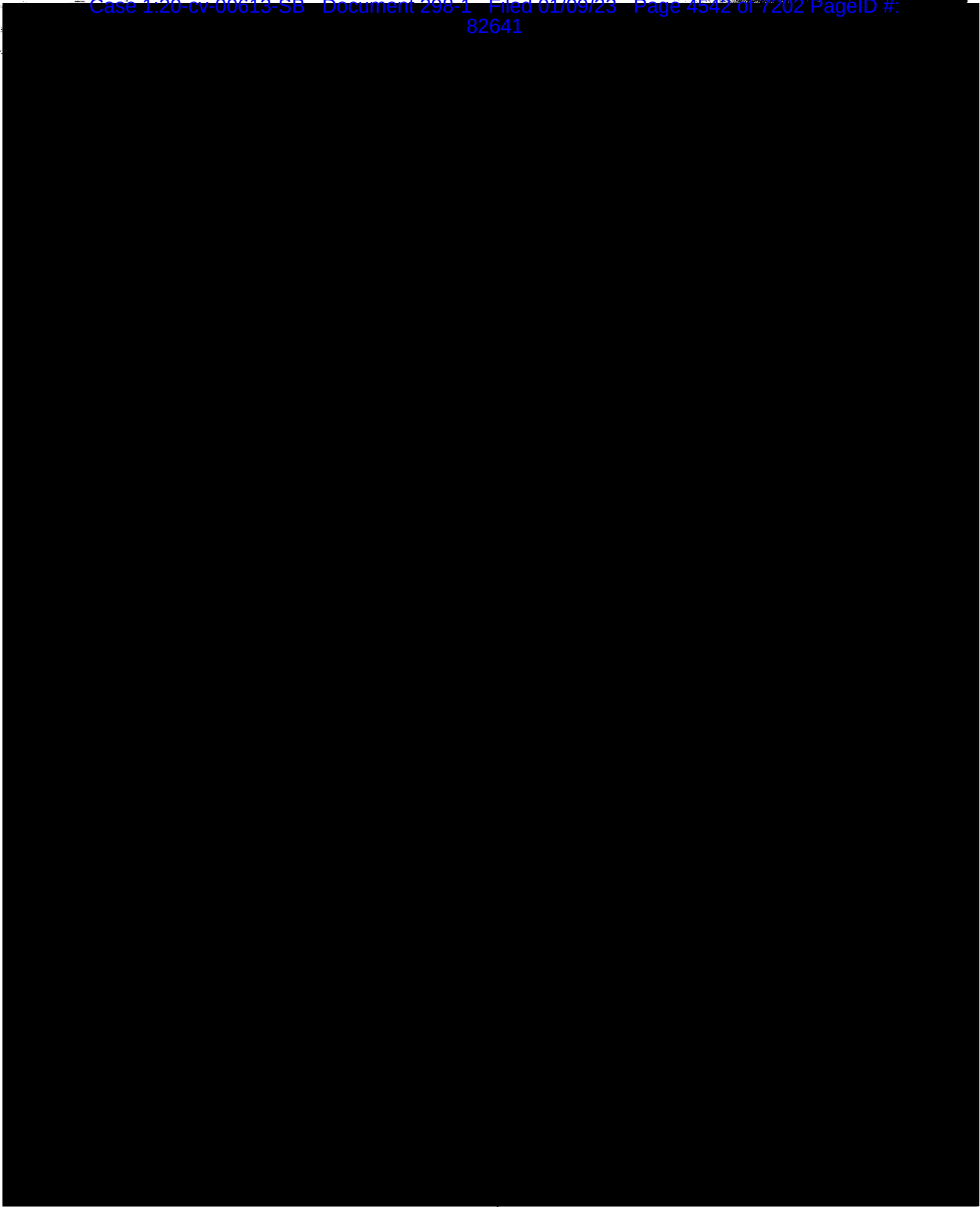
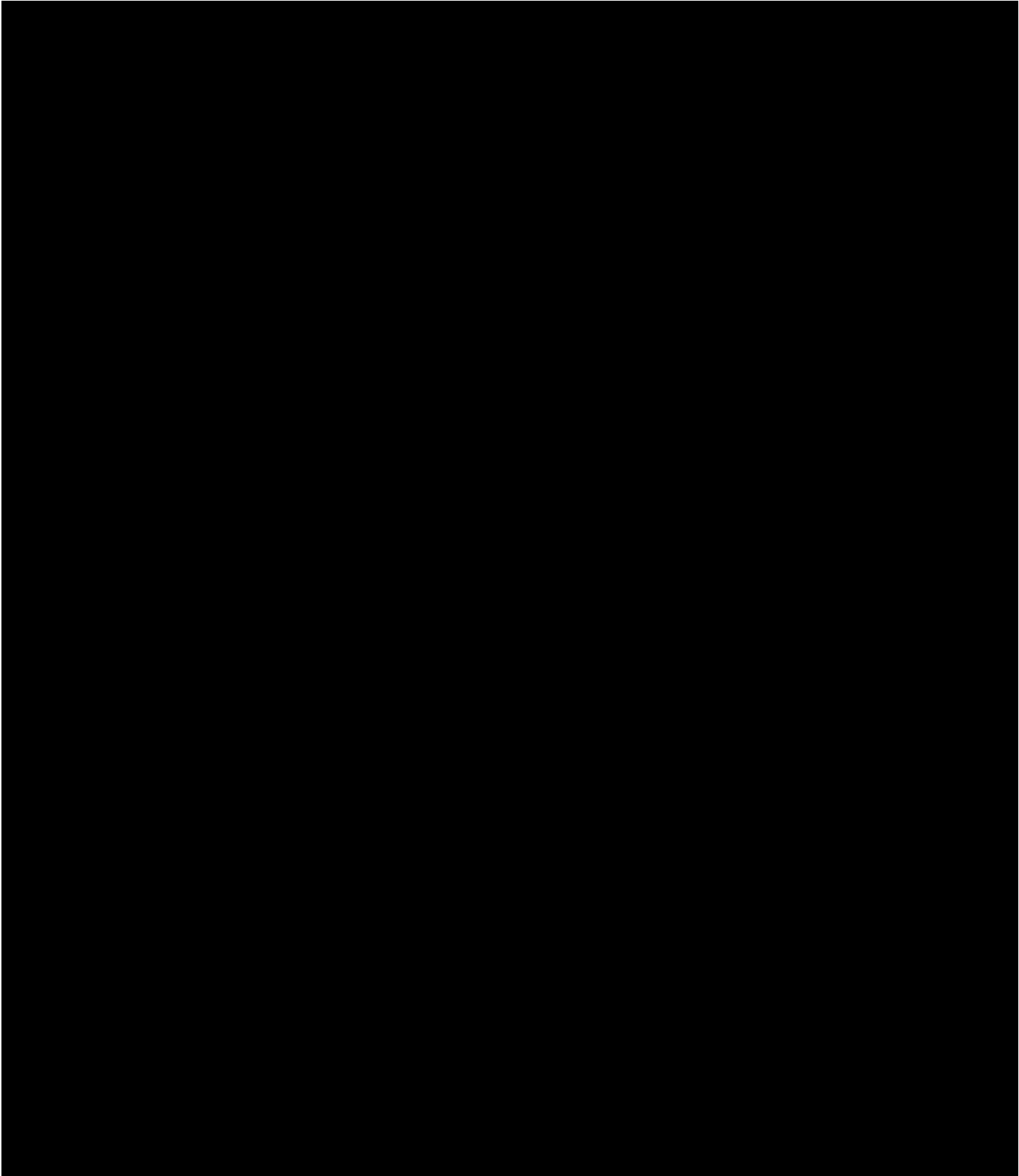
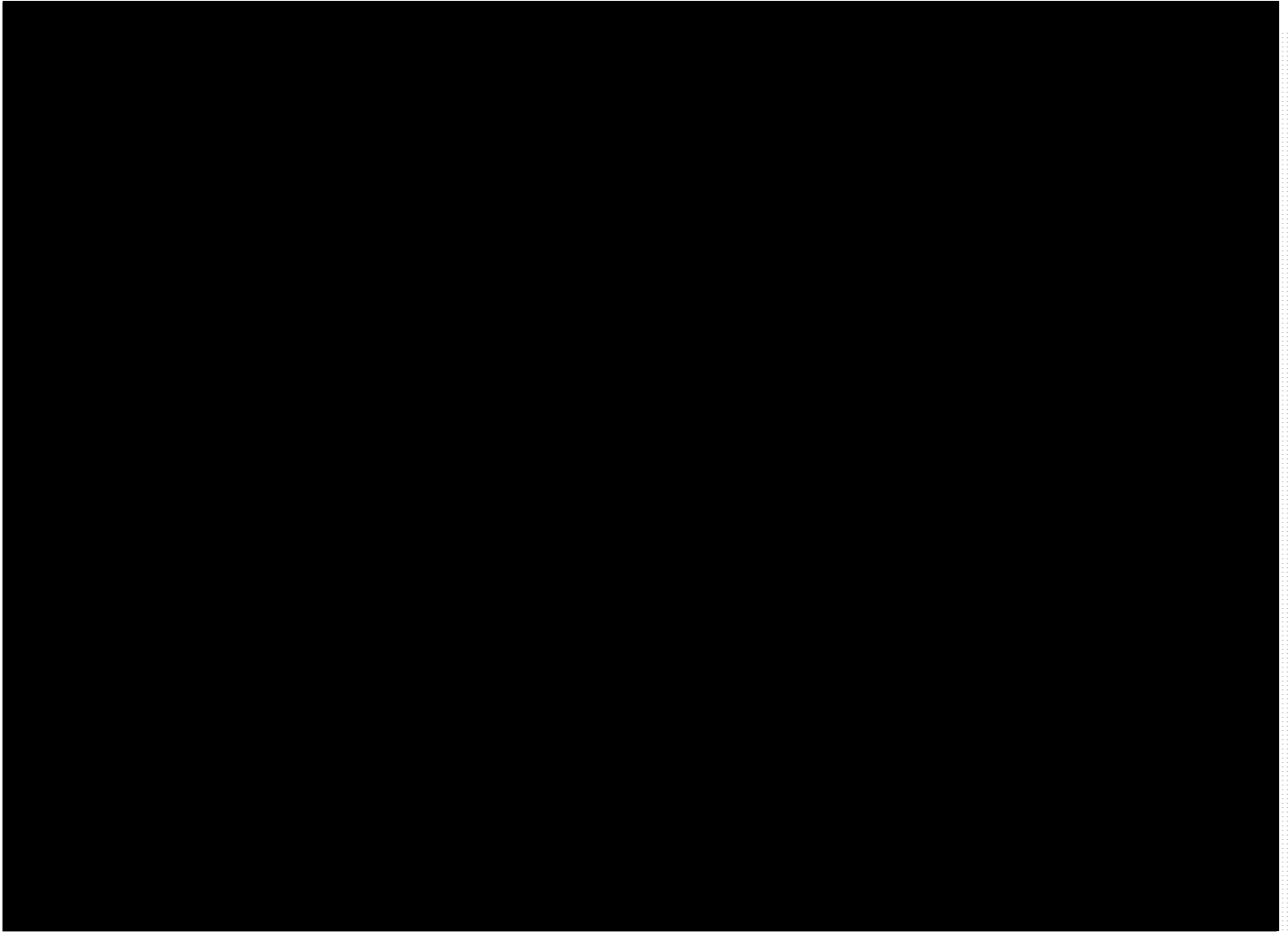
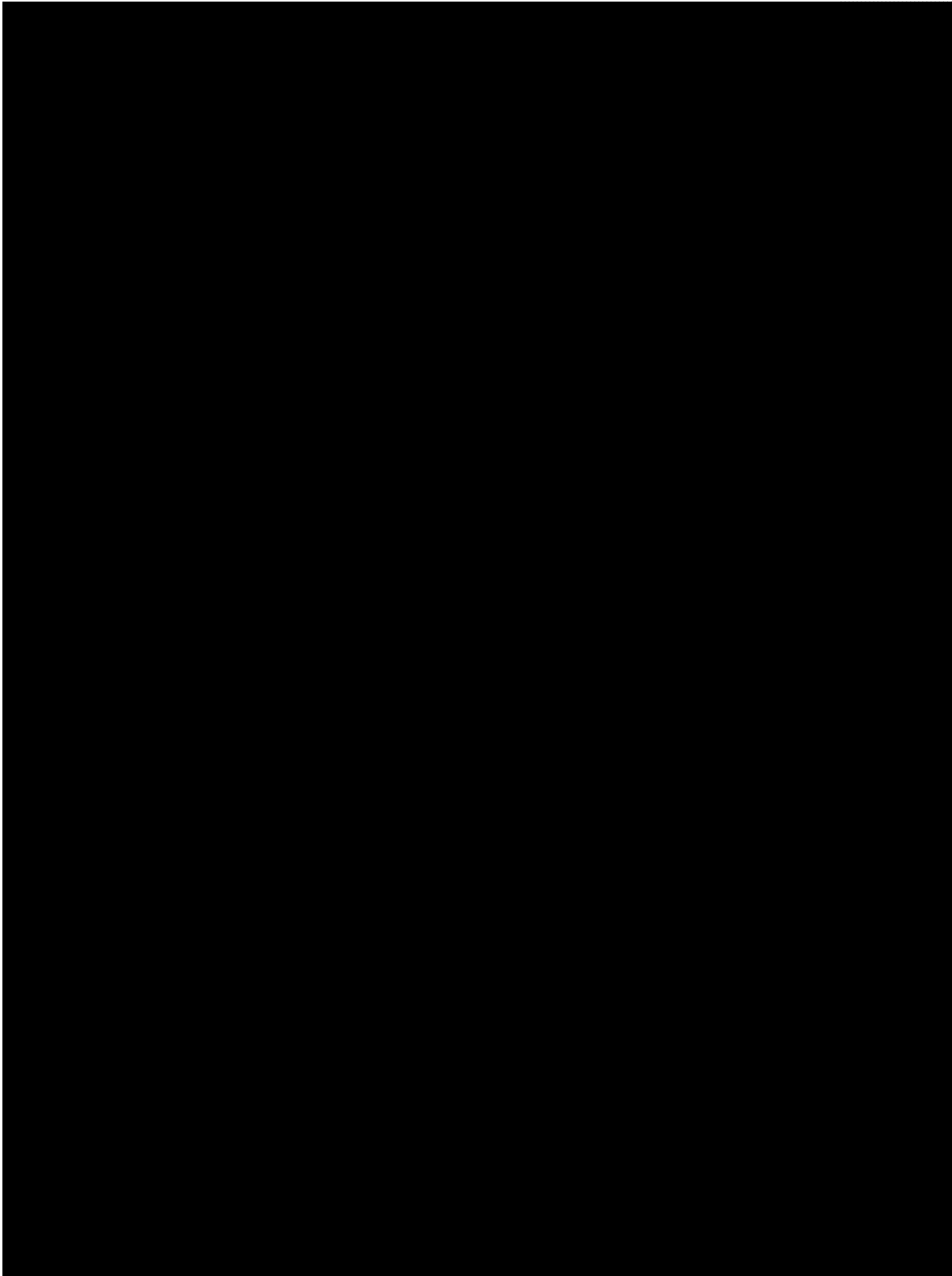
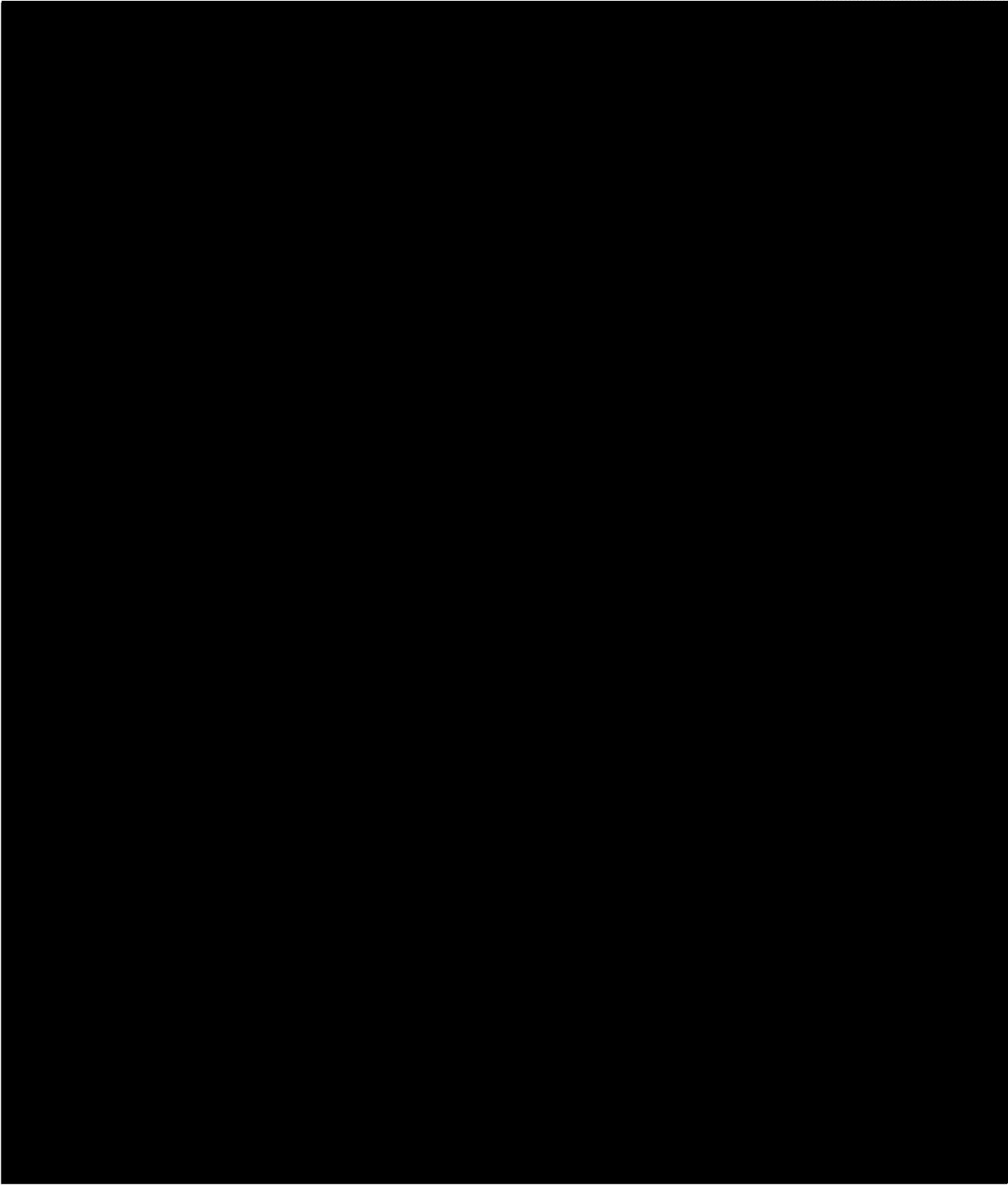


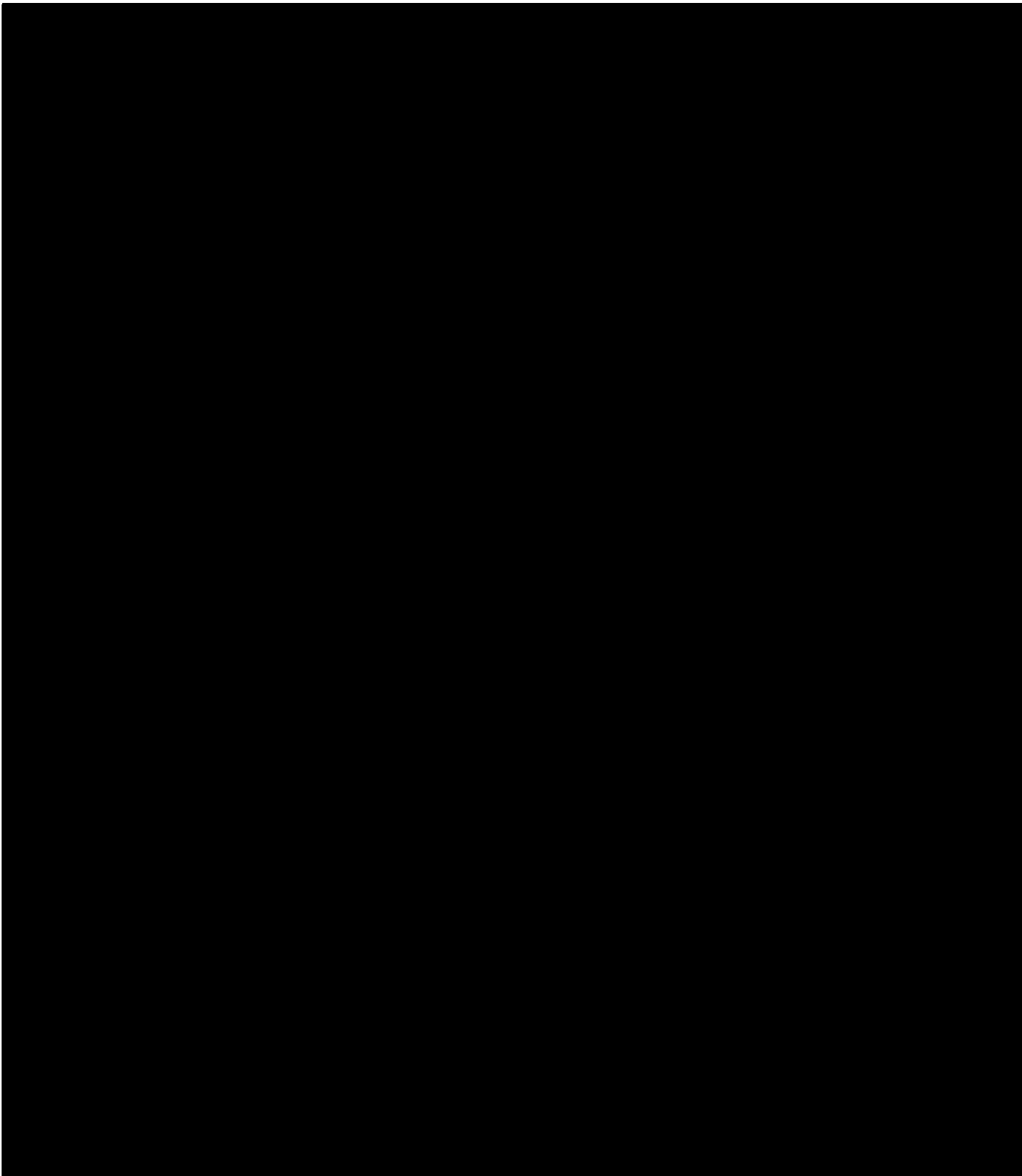
EXHIBIT 47

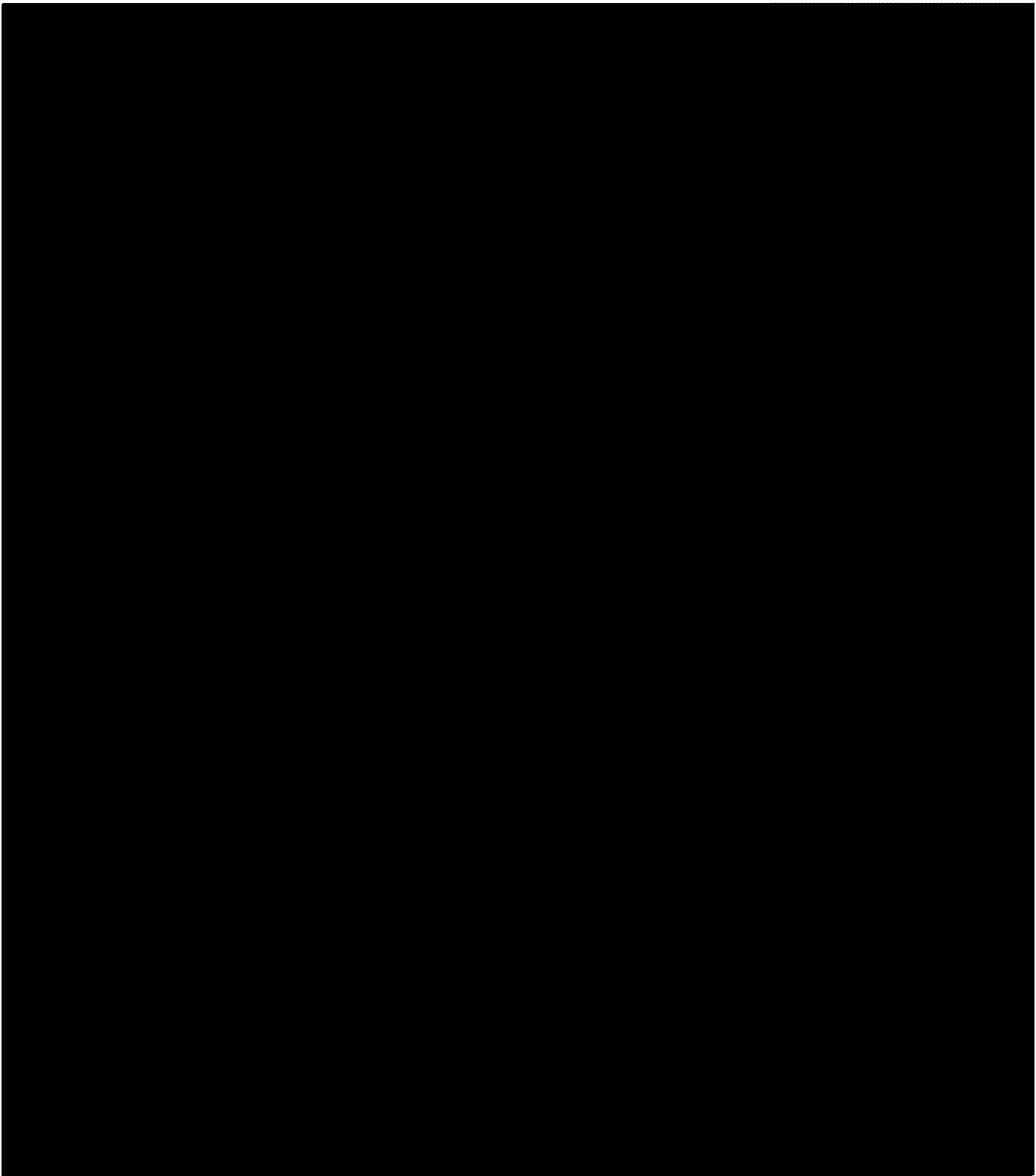


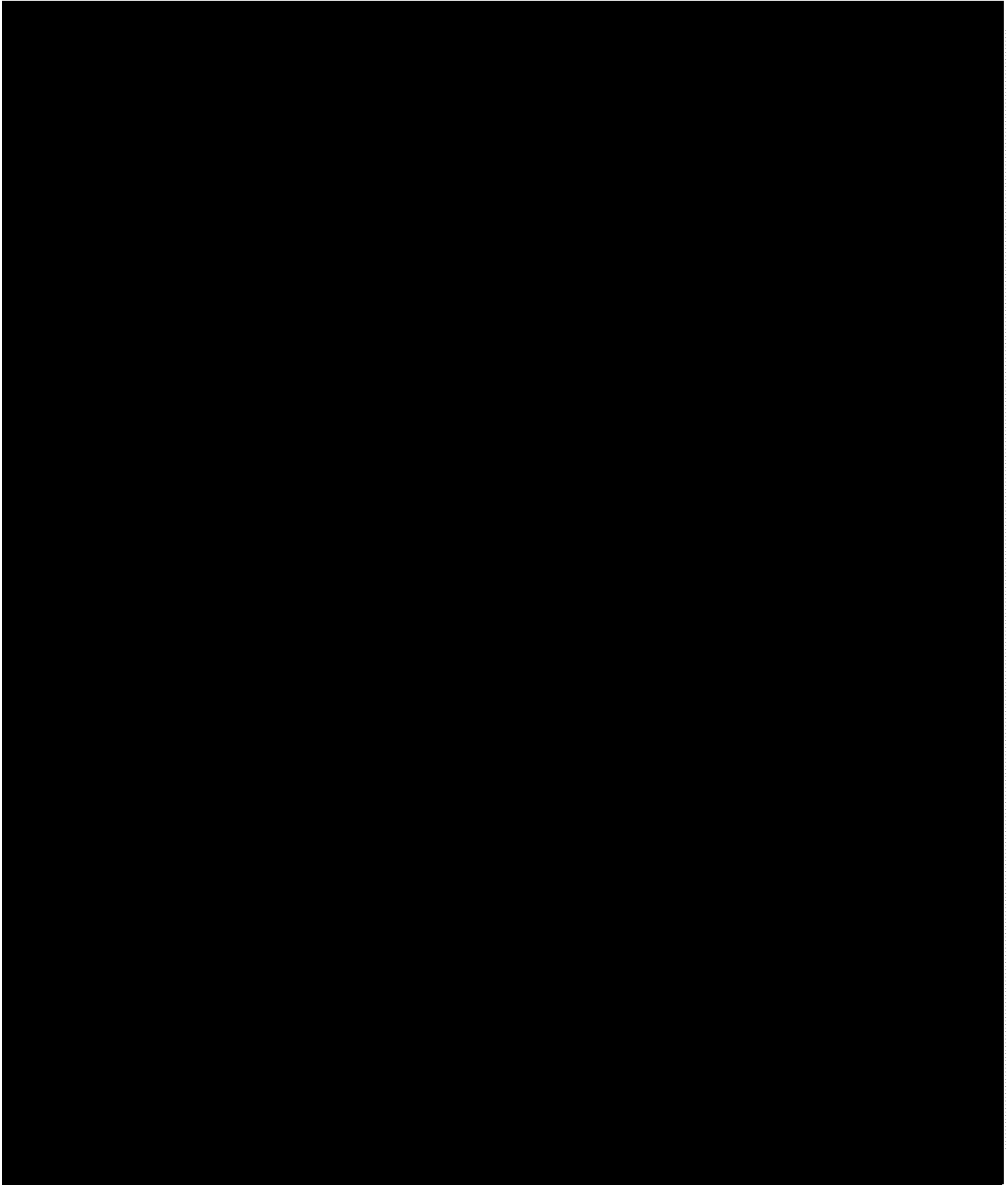


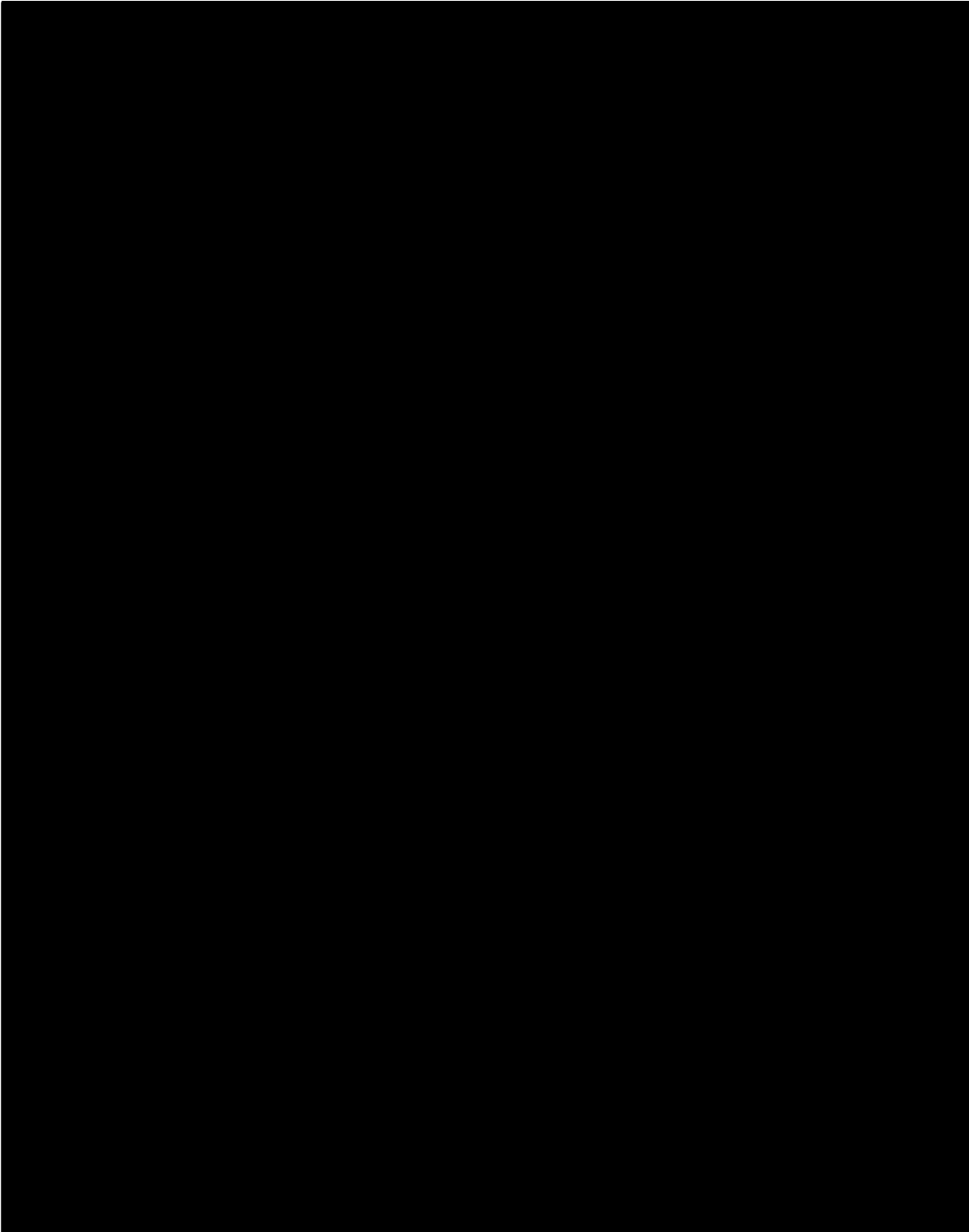


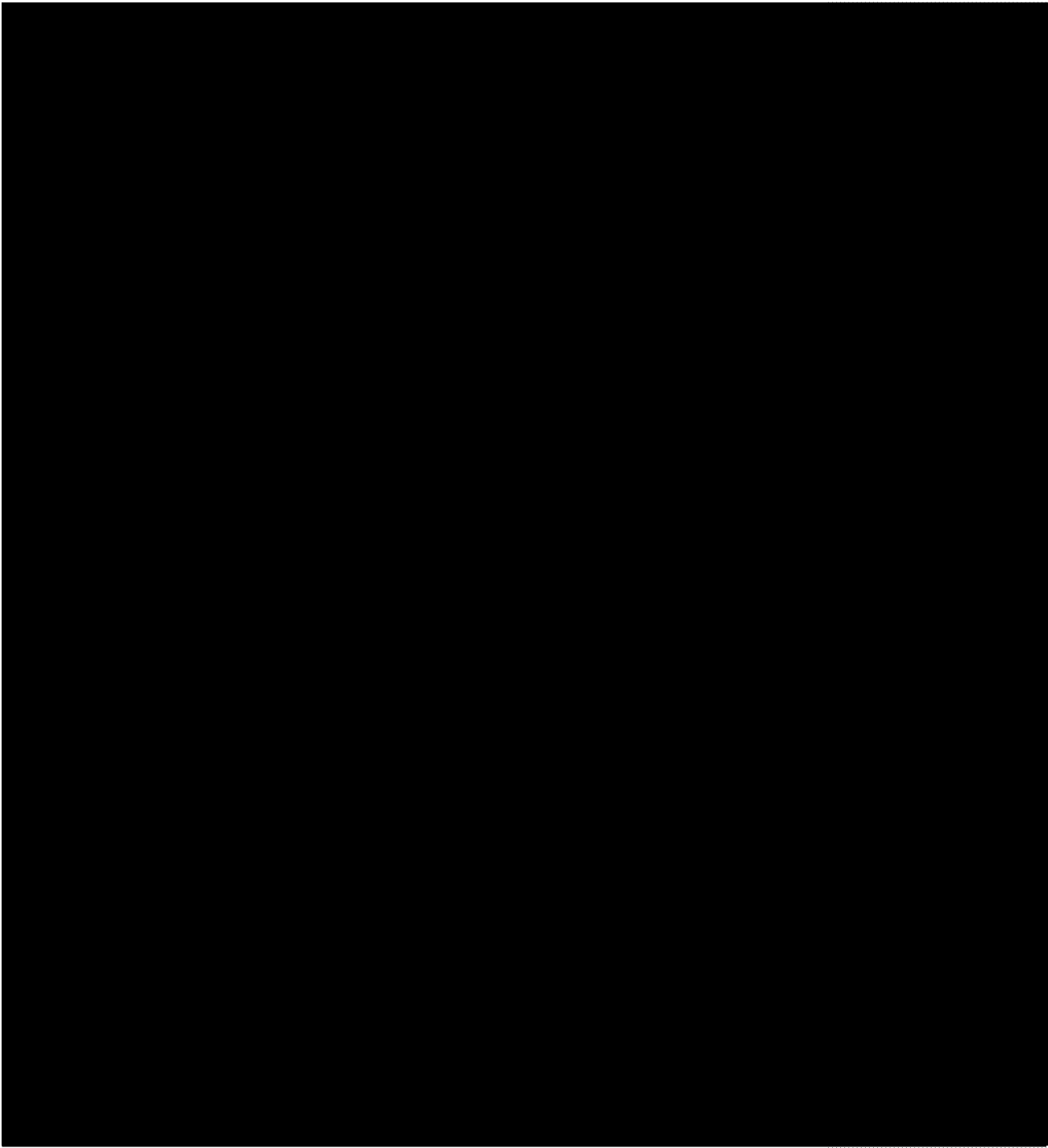


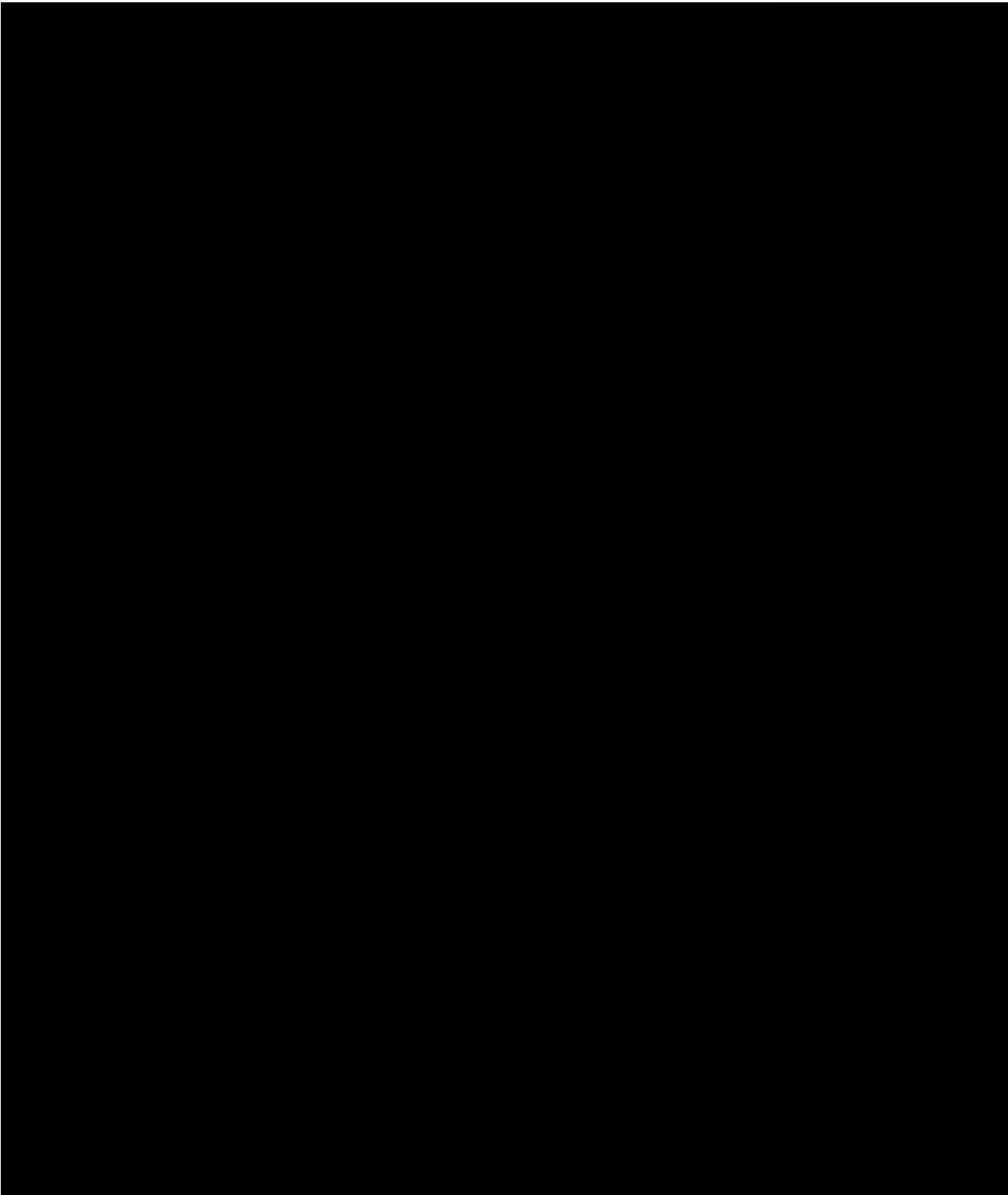


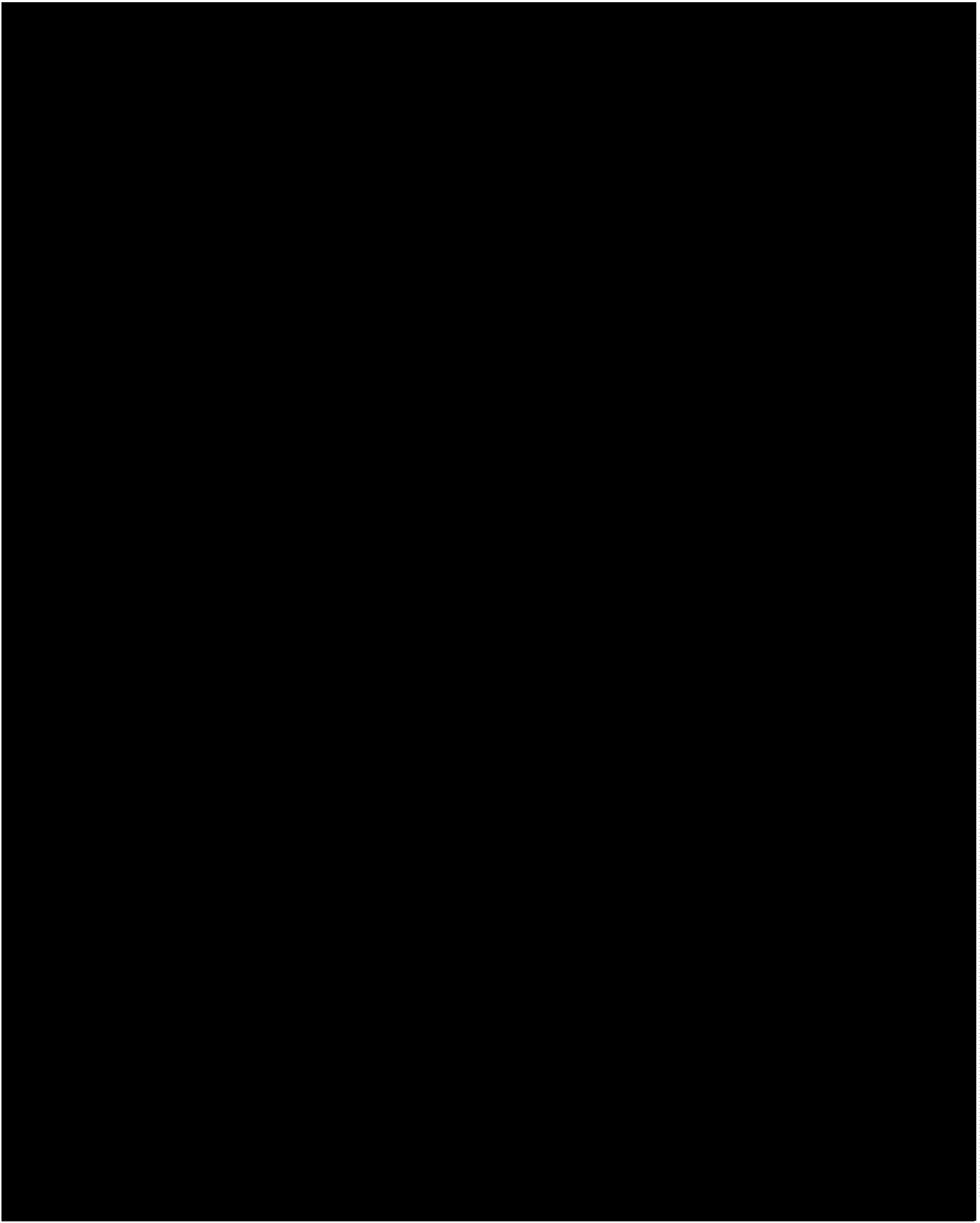


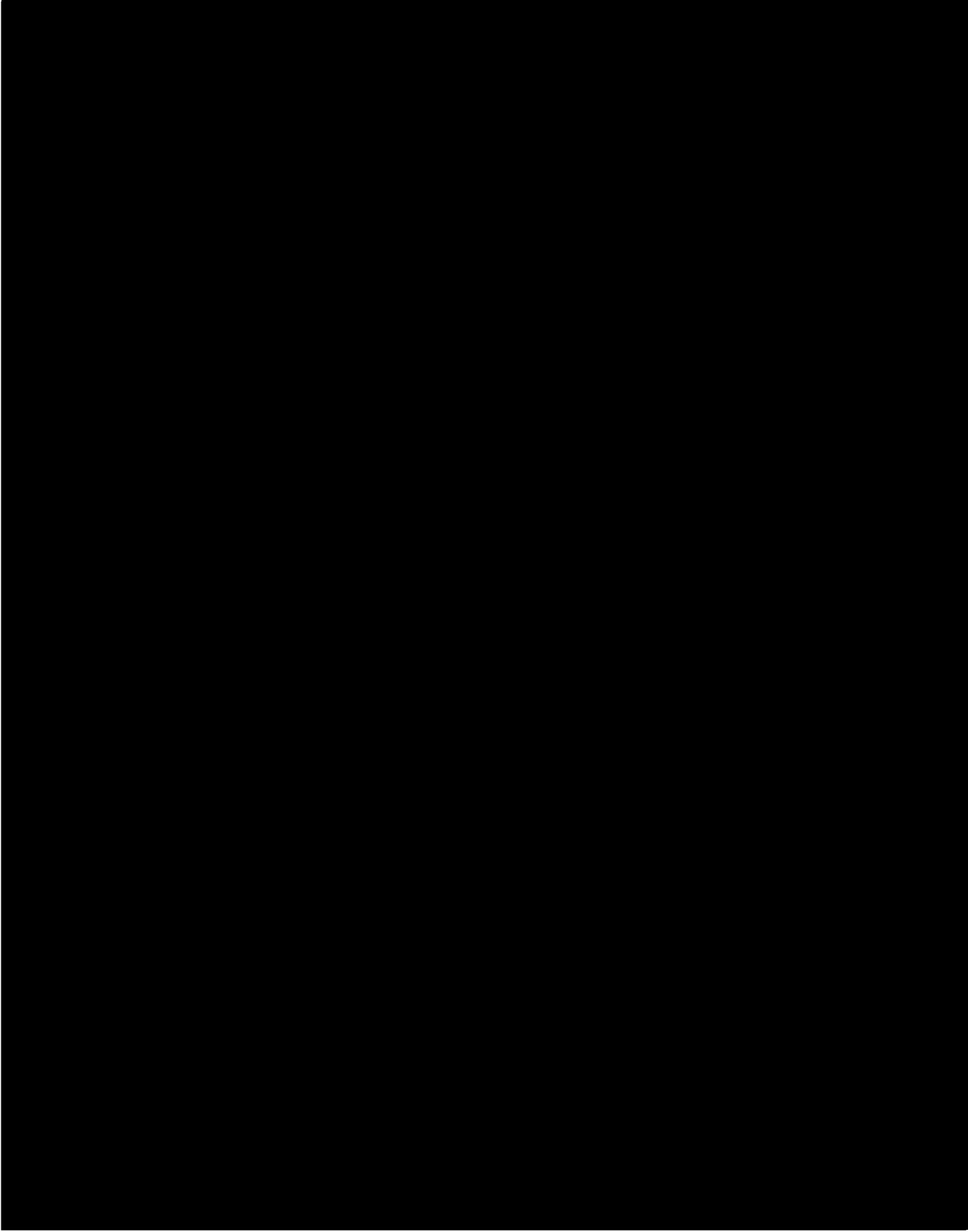


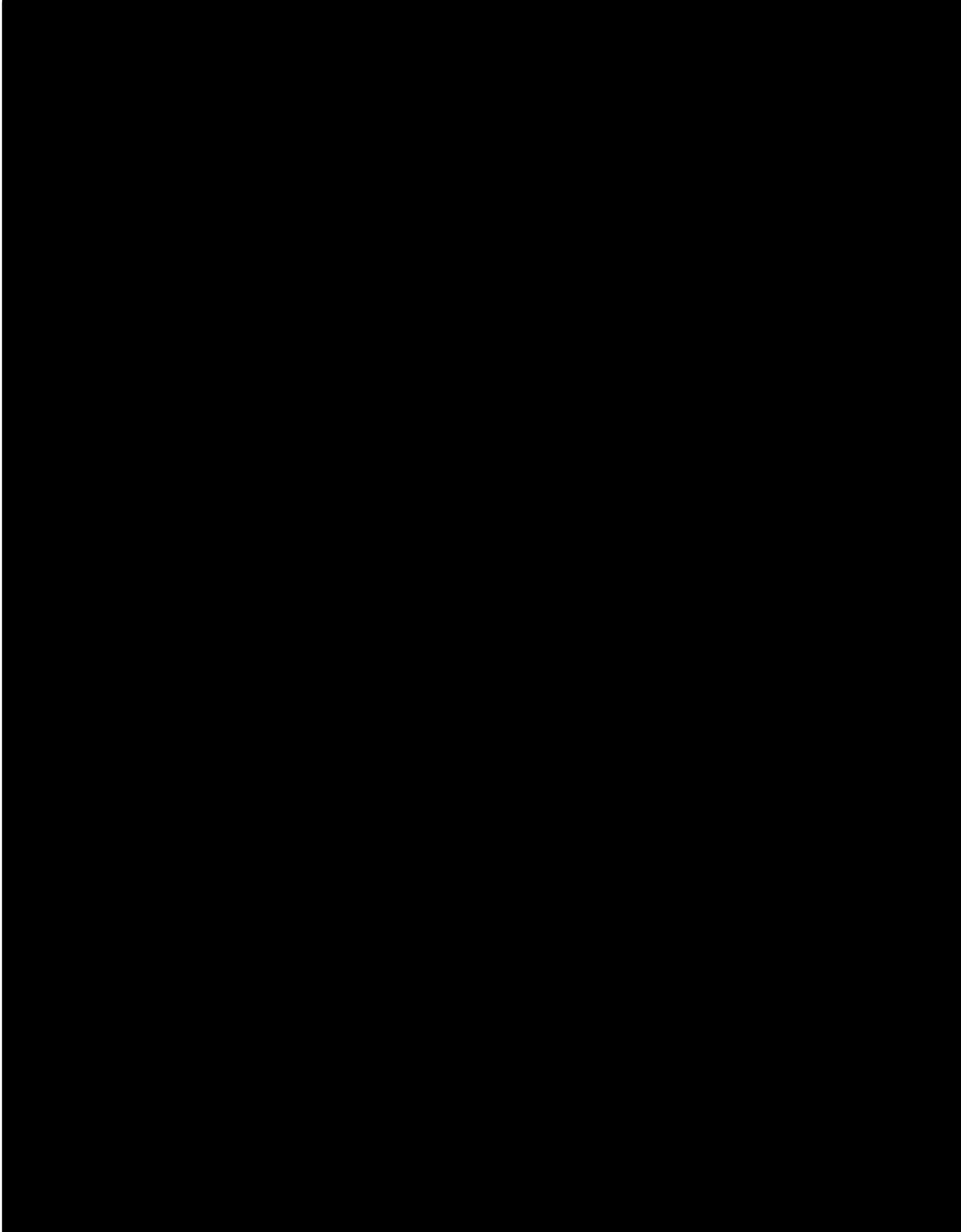


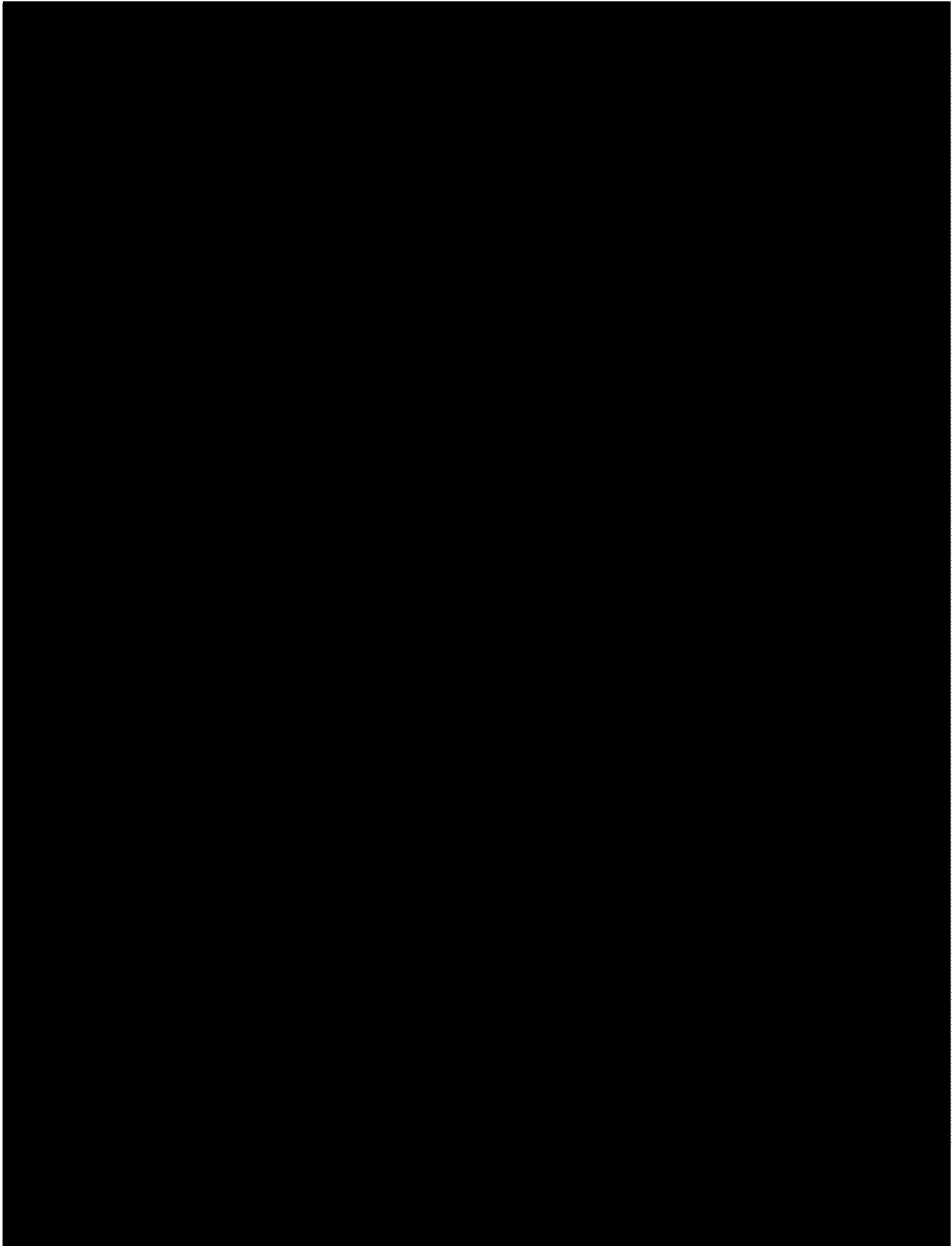


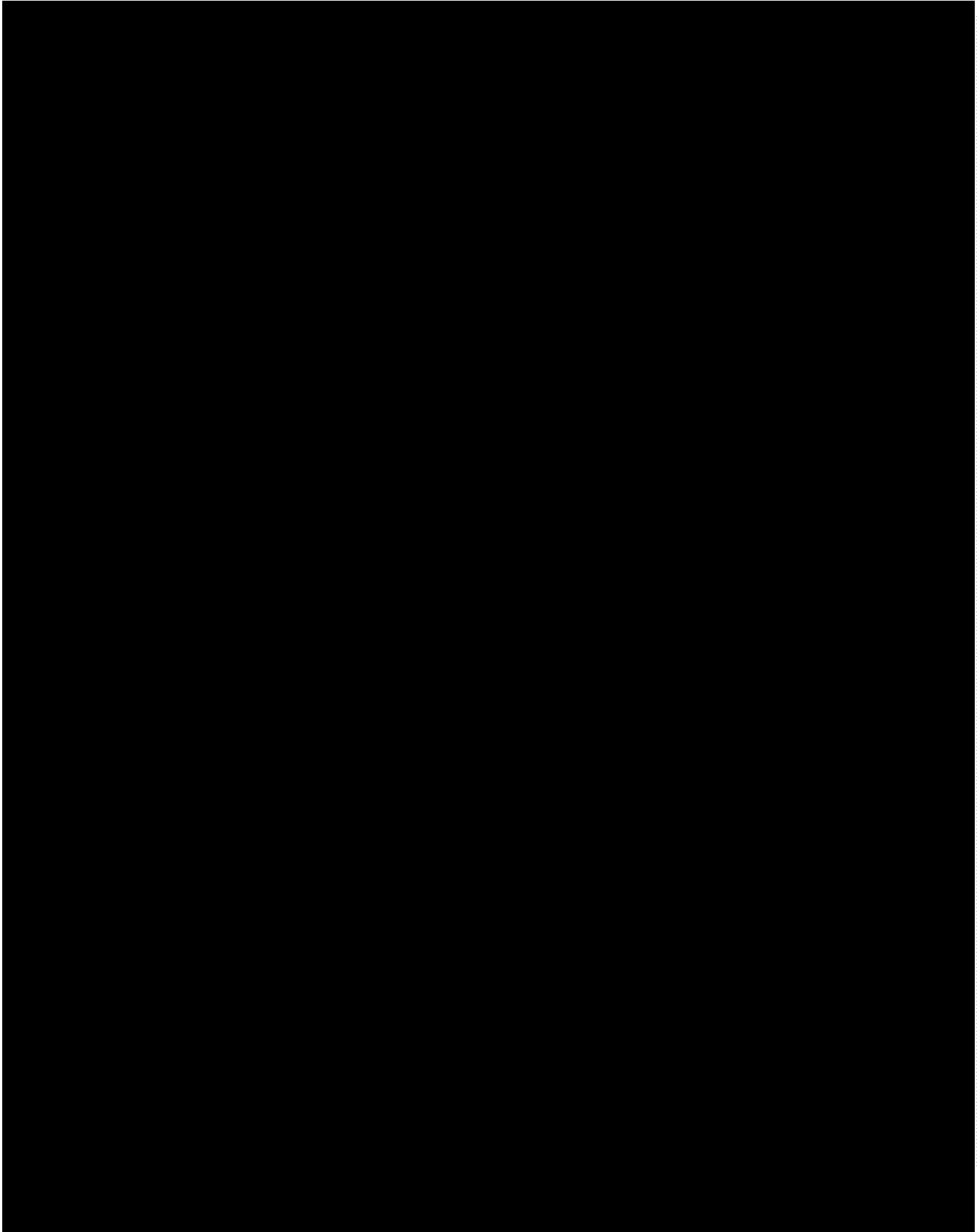












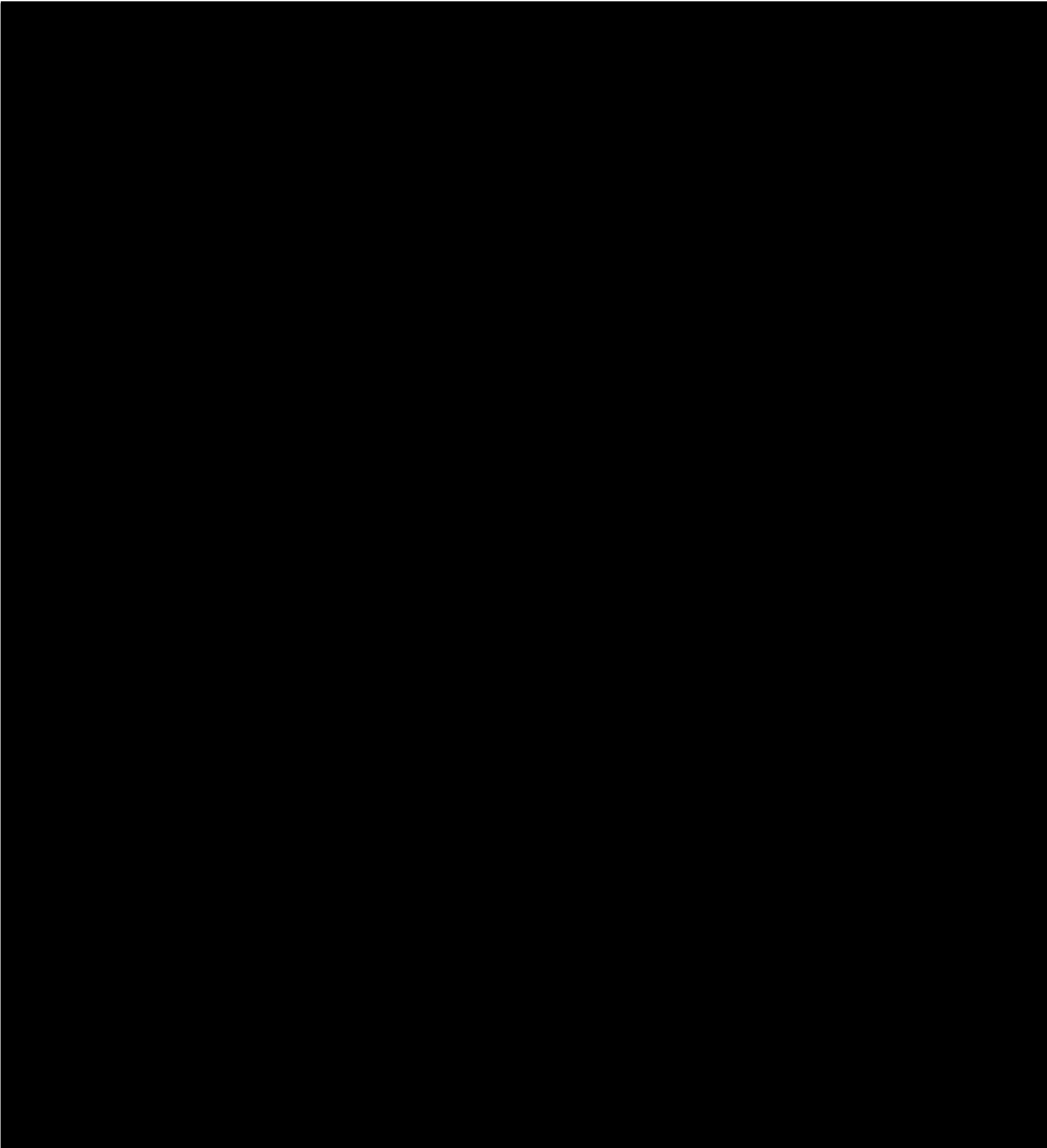


EXHIBIT 48:

Native Excel to be Lodged with Court

EXHIBIT 49

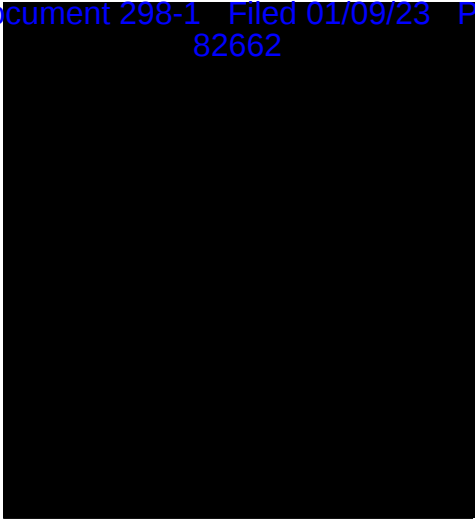
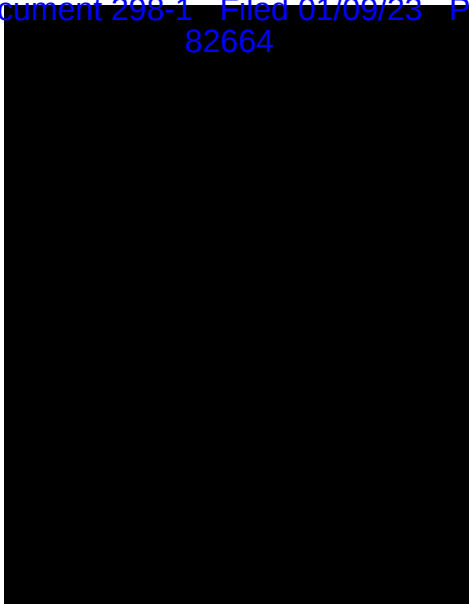


EXHIBIT 50



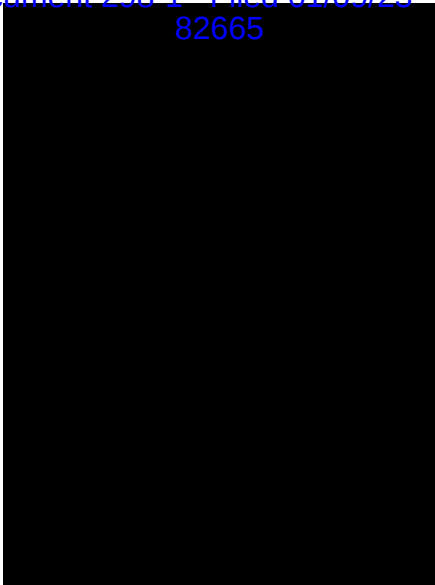


EXHIBIT 51

EXHIBIT 52

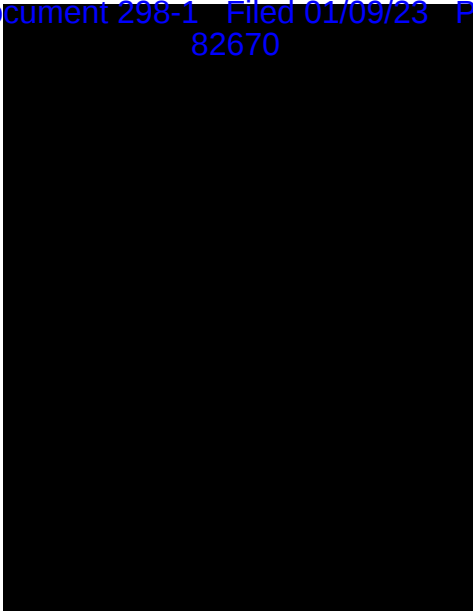
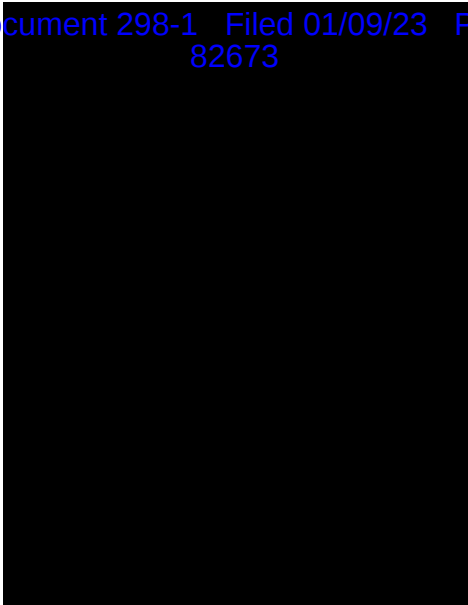
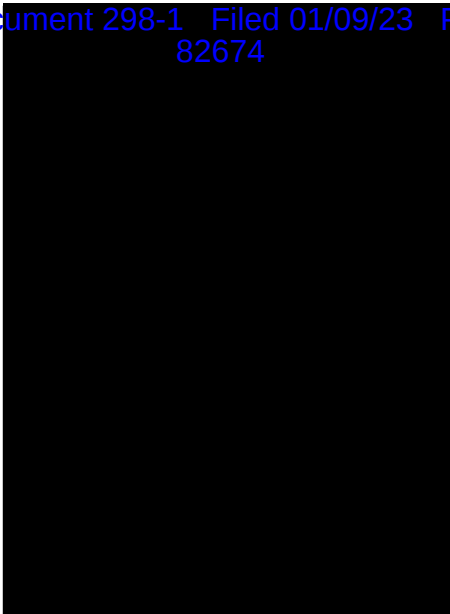


EXHIBIT 53





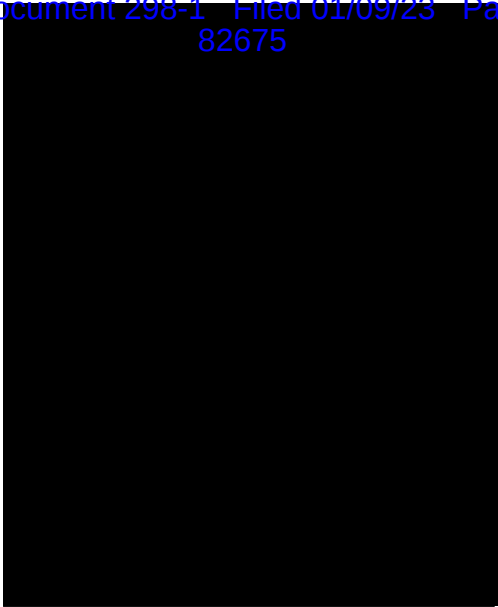




EXHIBIT 54

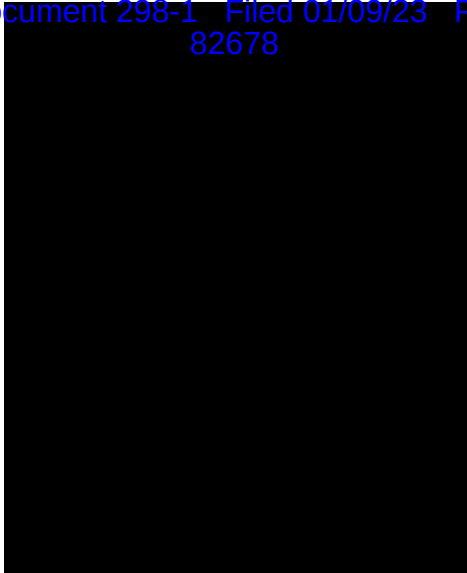


EXHIBIT 55



EXHIBIT 56

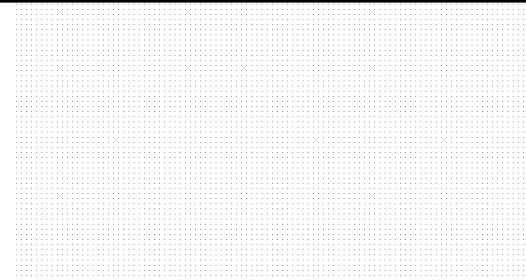
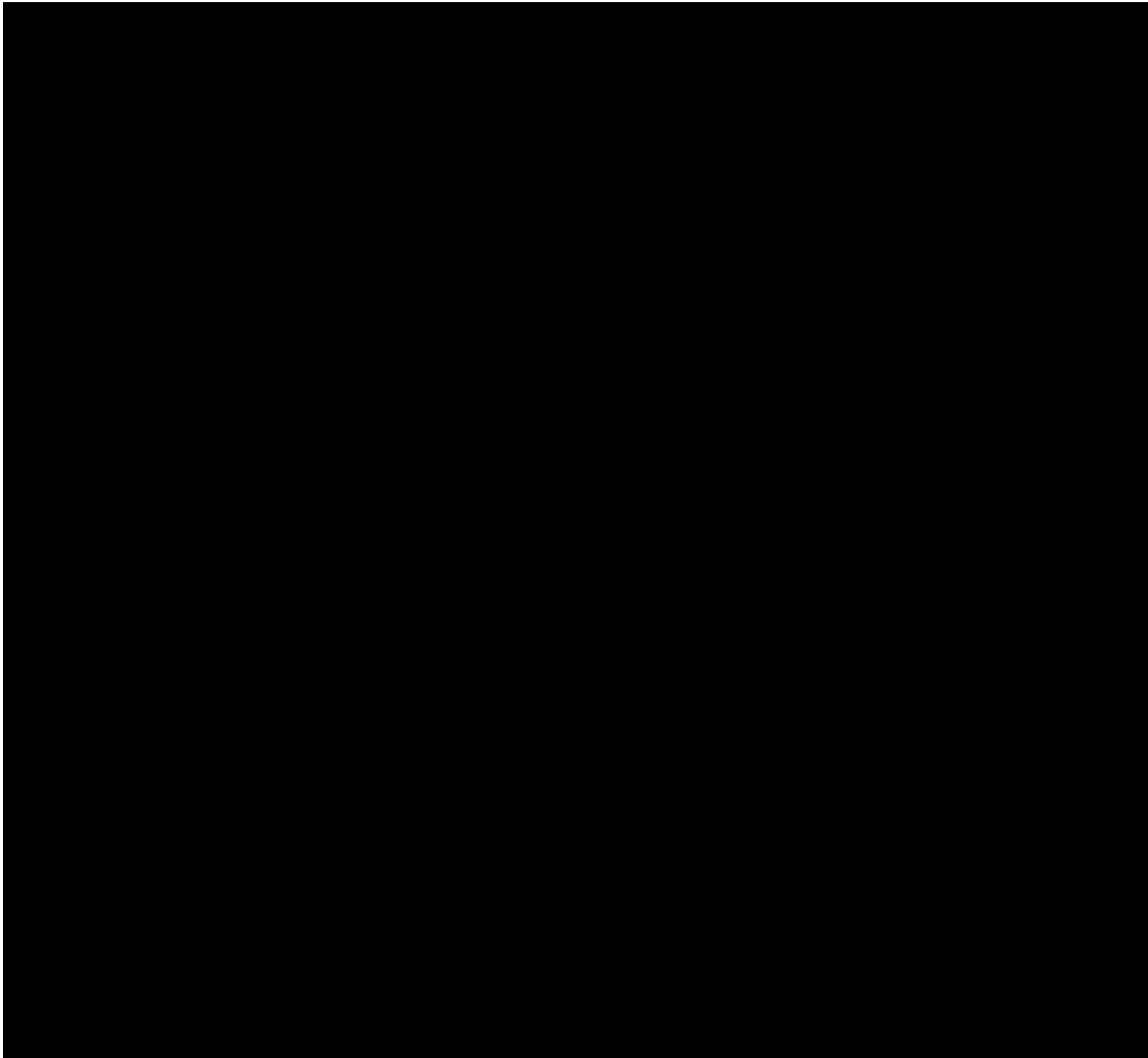
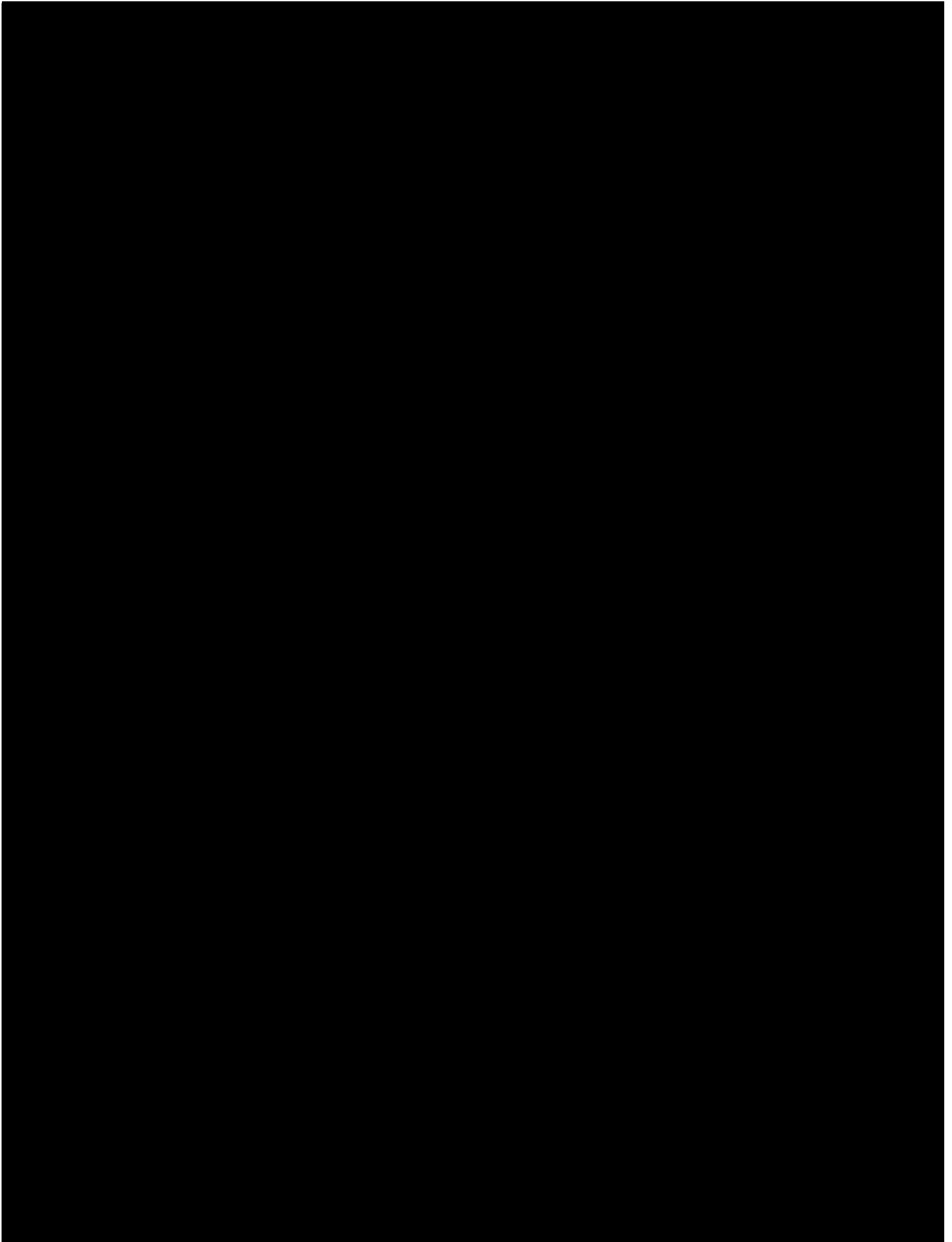
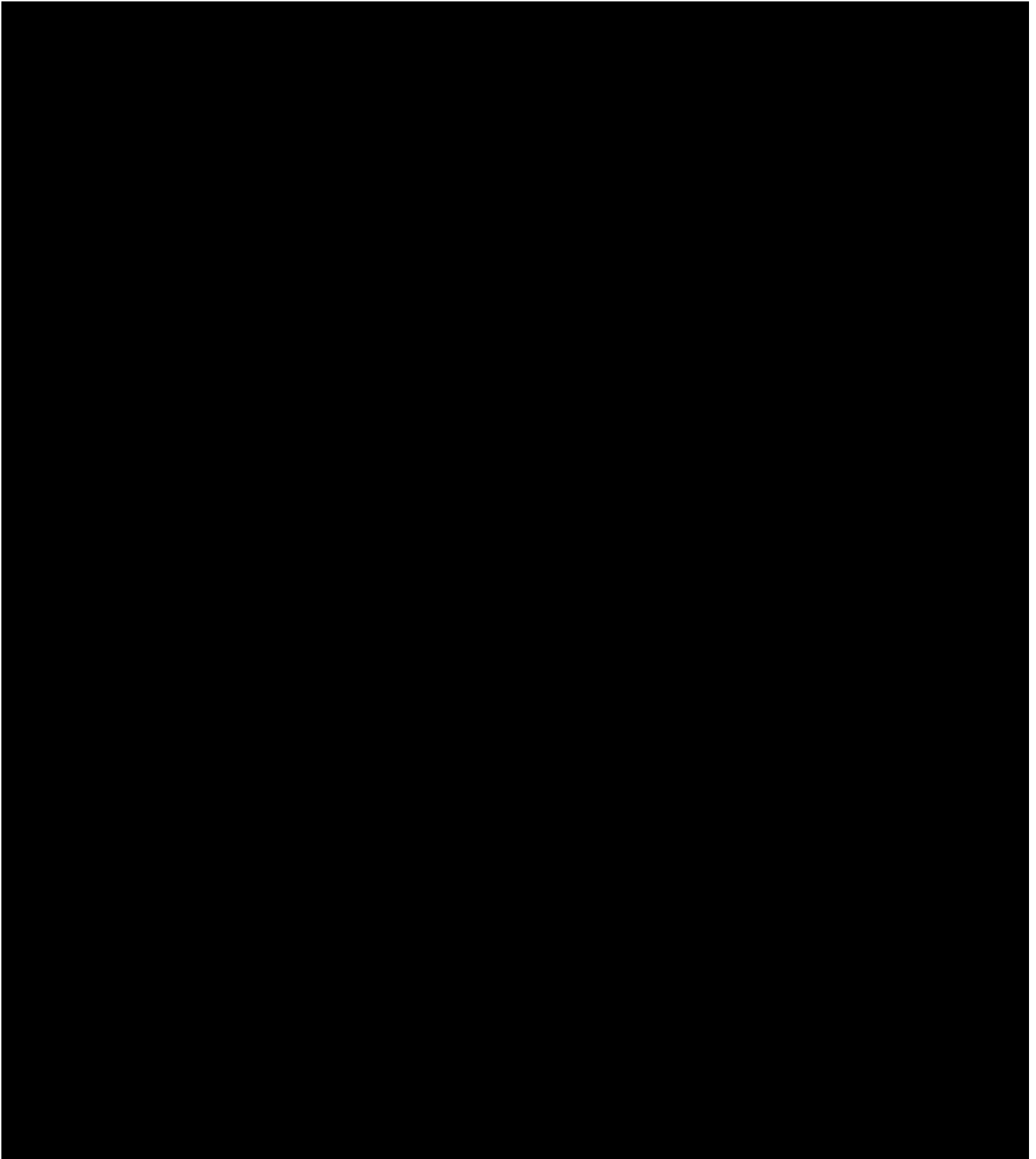


EXHIBIT 57





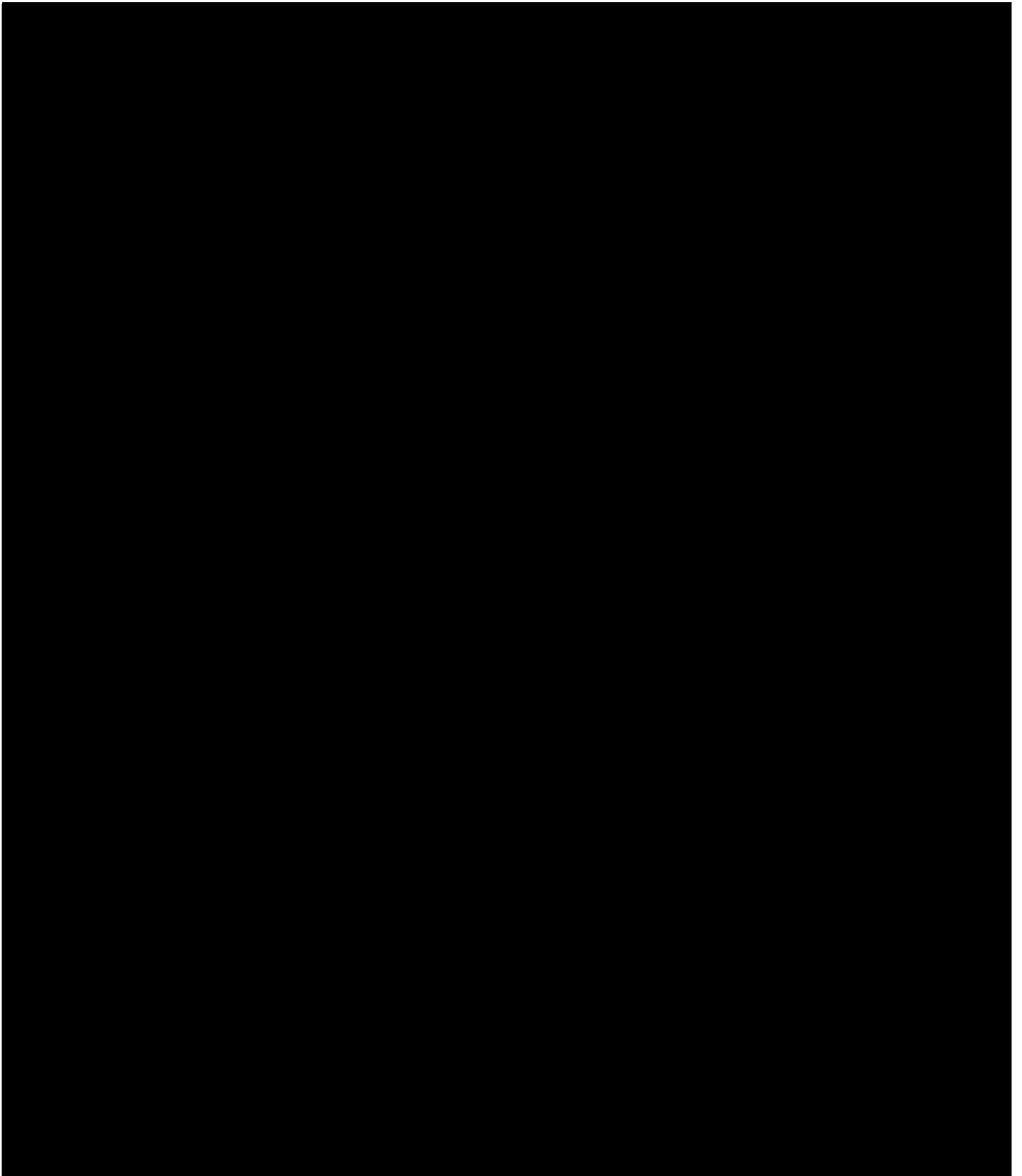
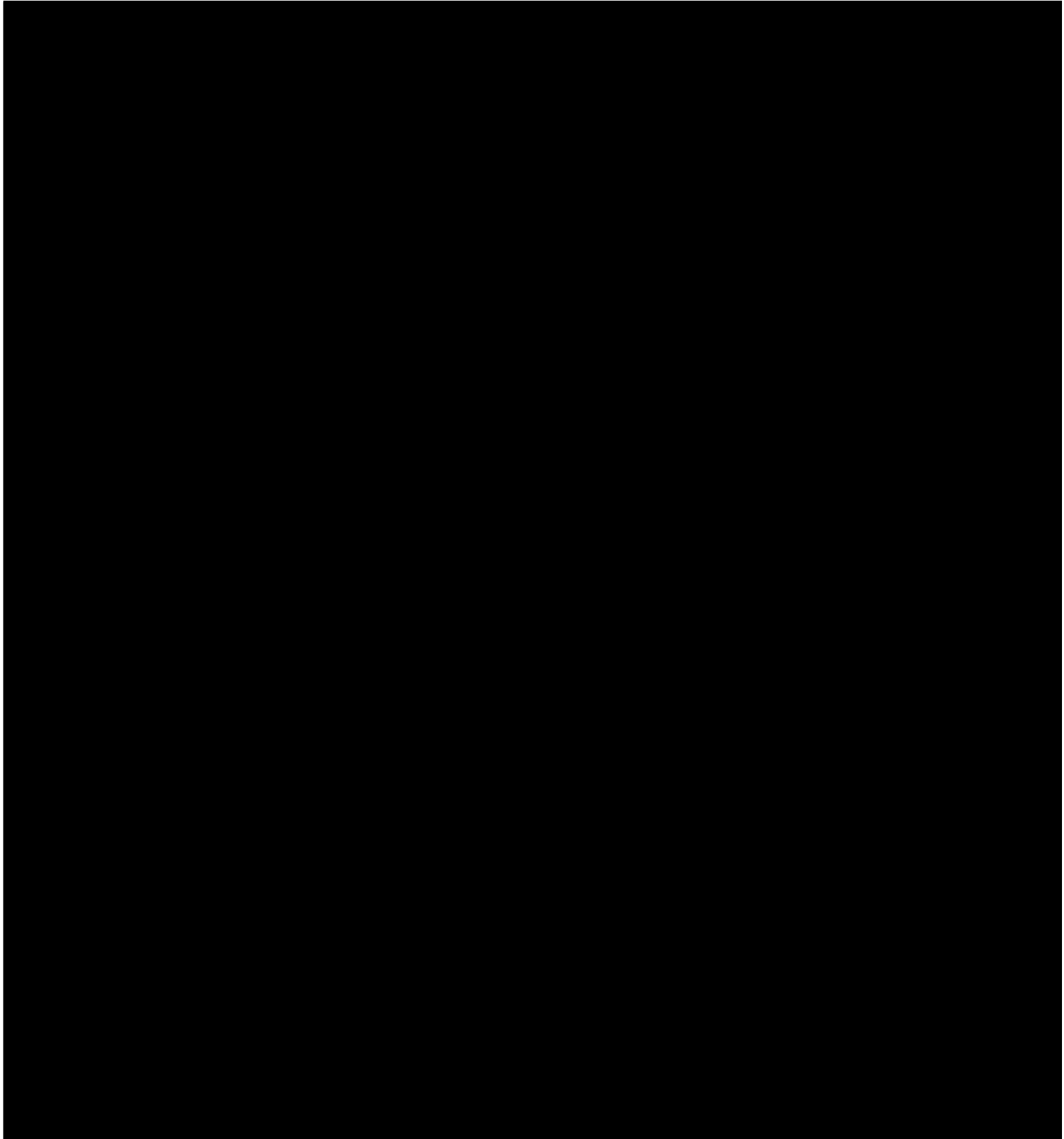
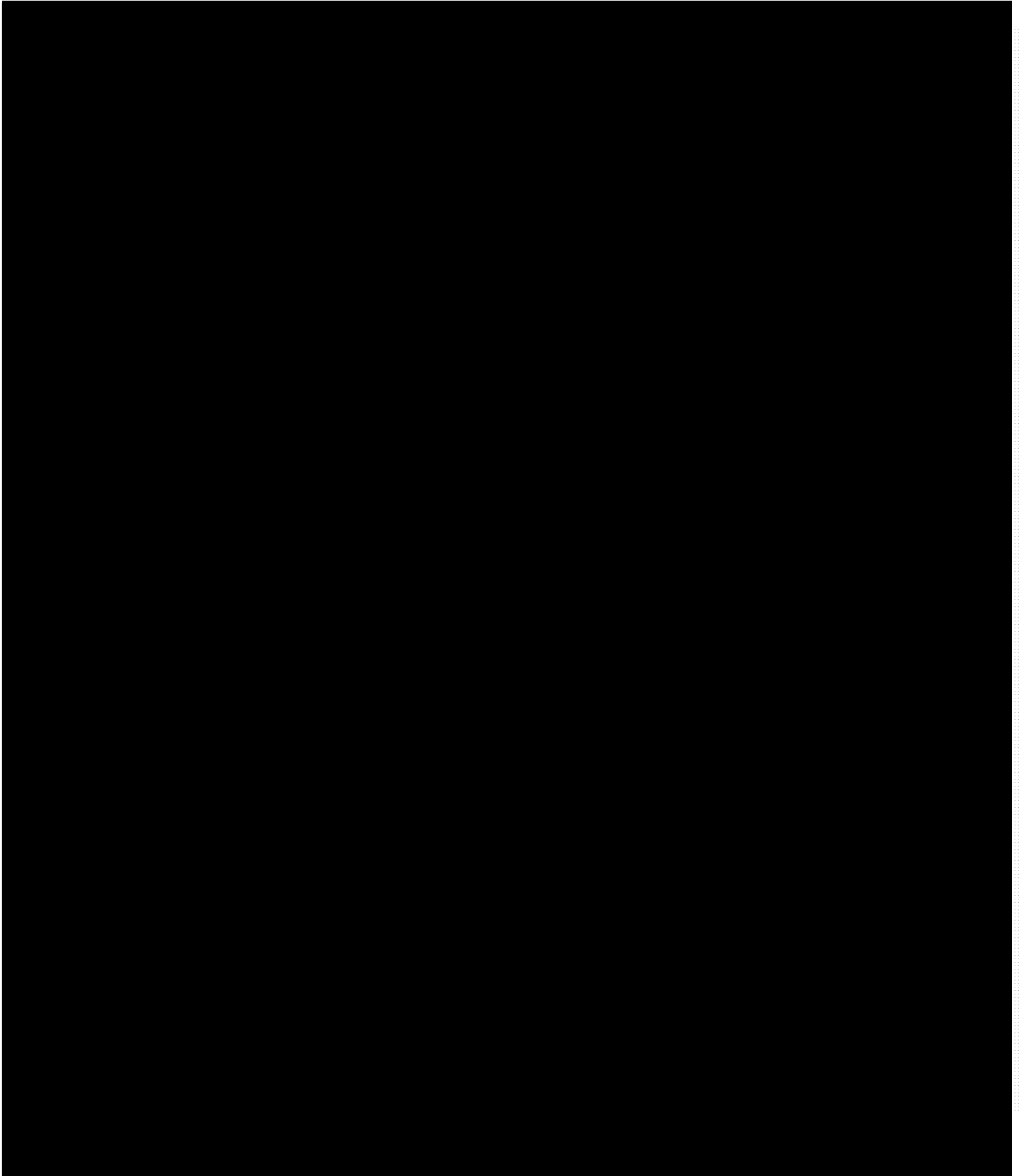
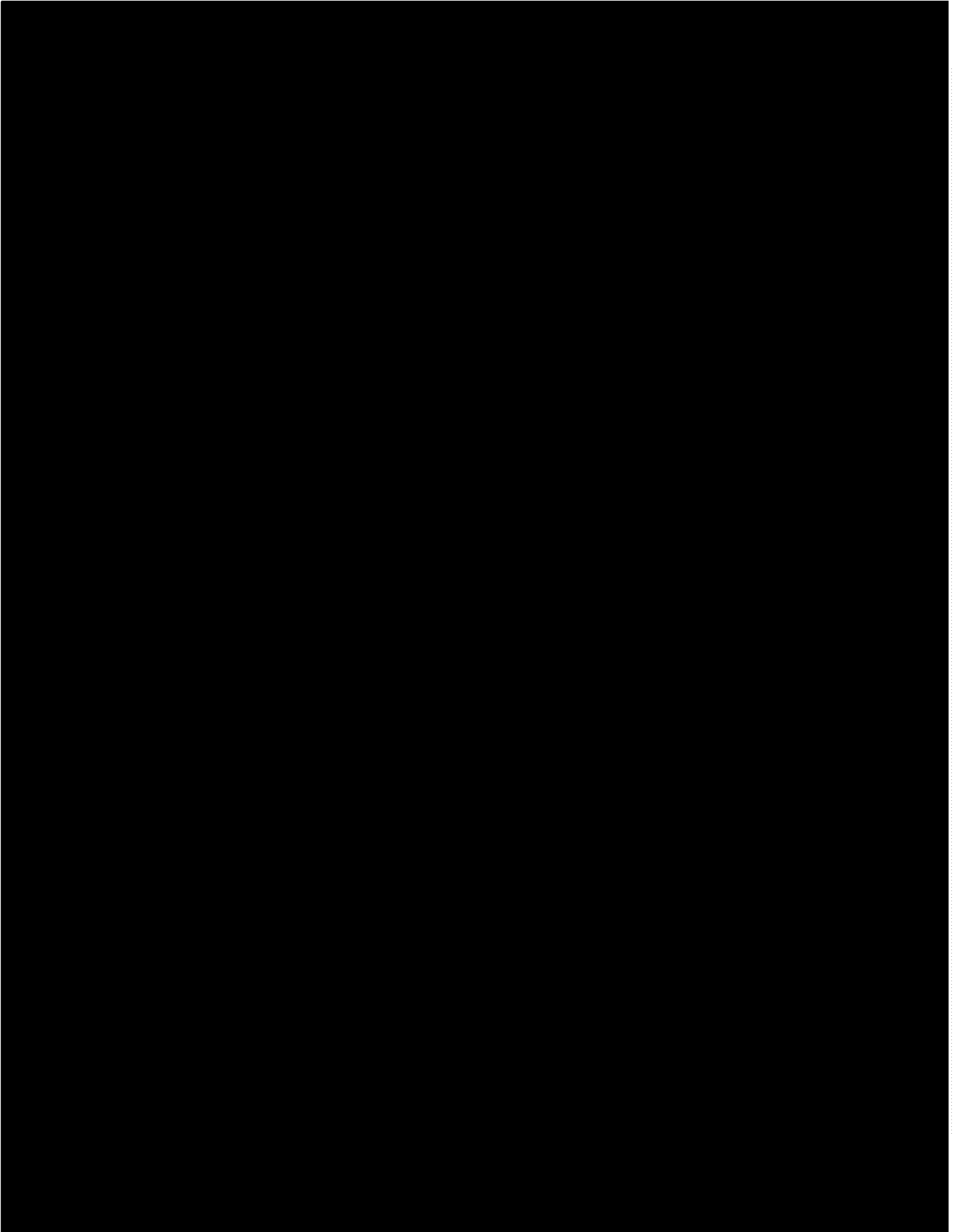


EXHIBIT 58







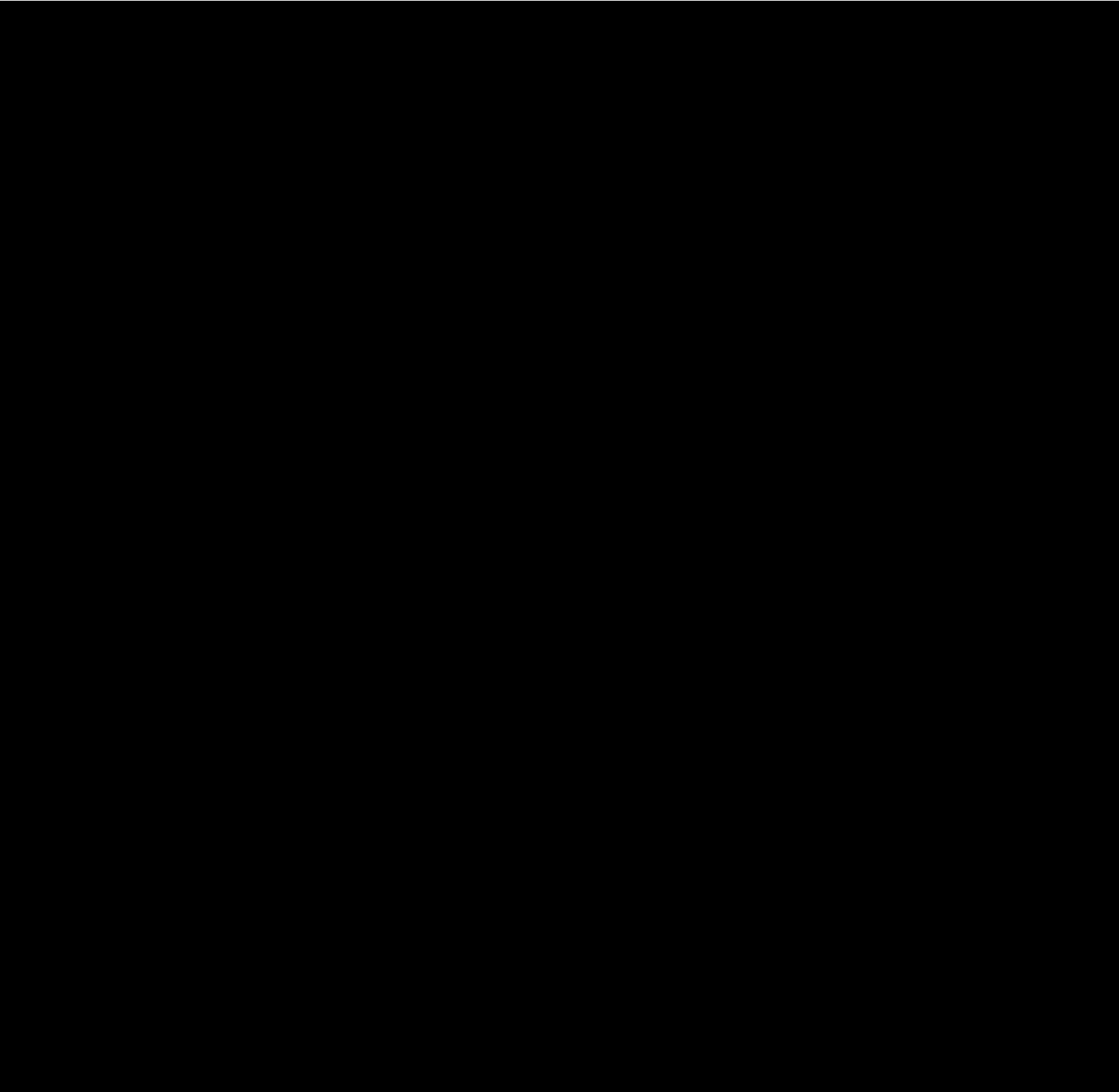
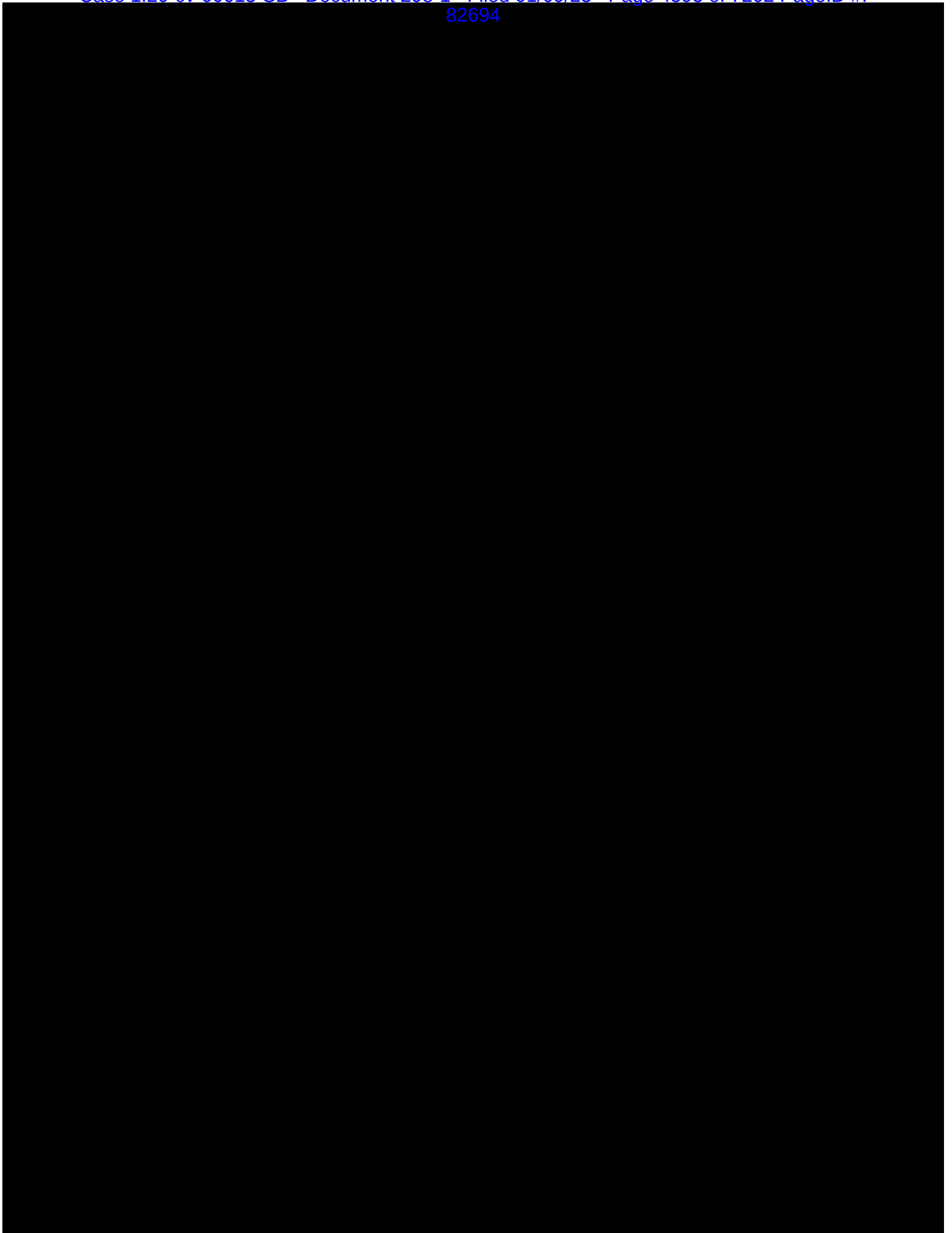


EXHIBIT 59



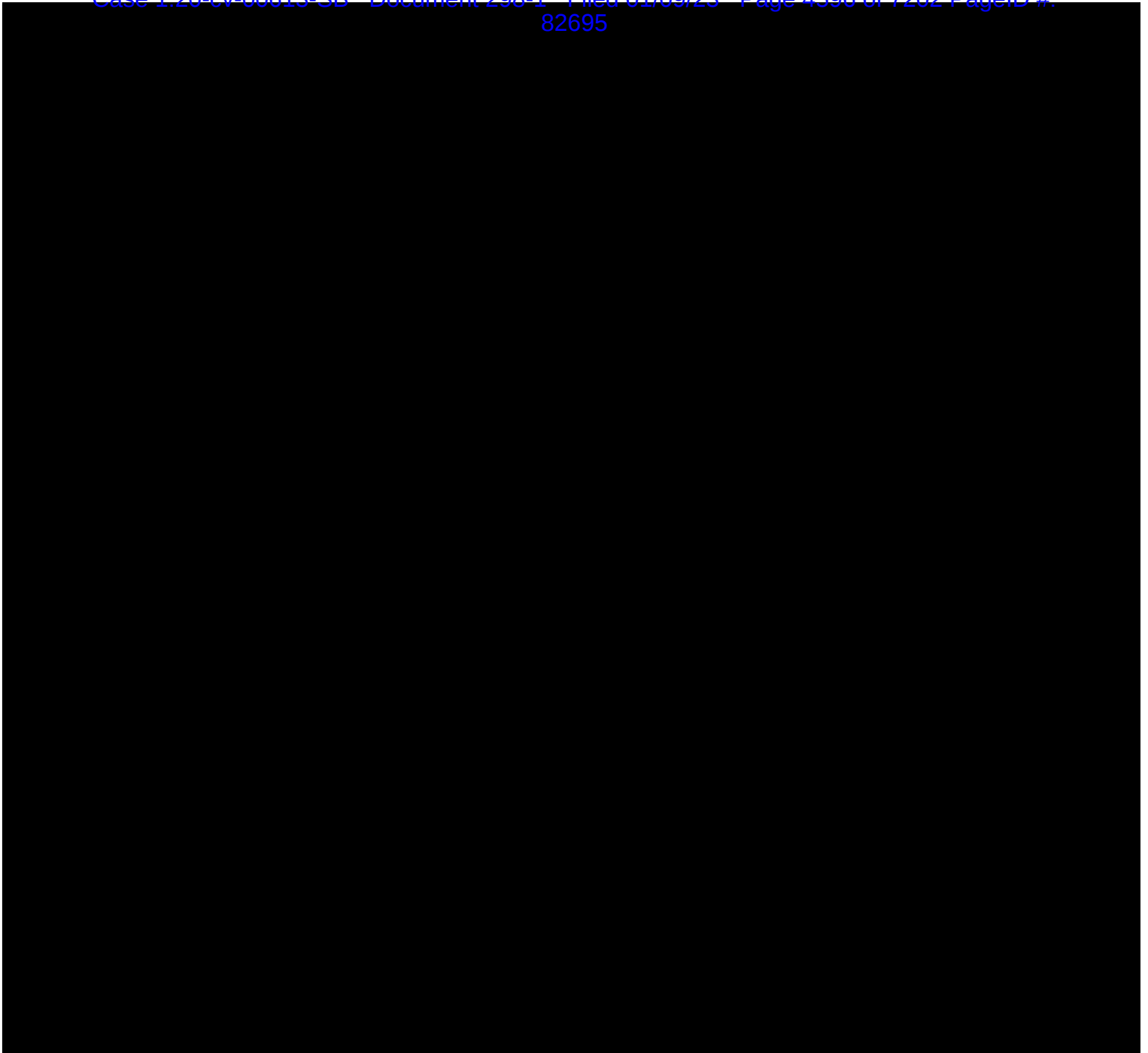
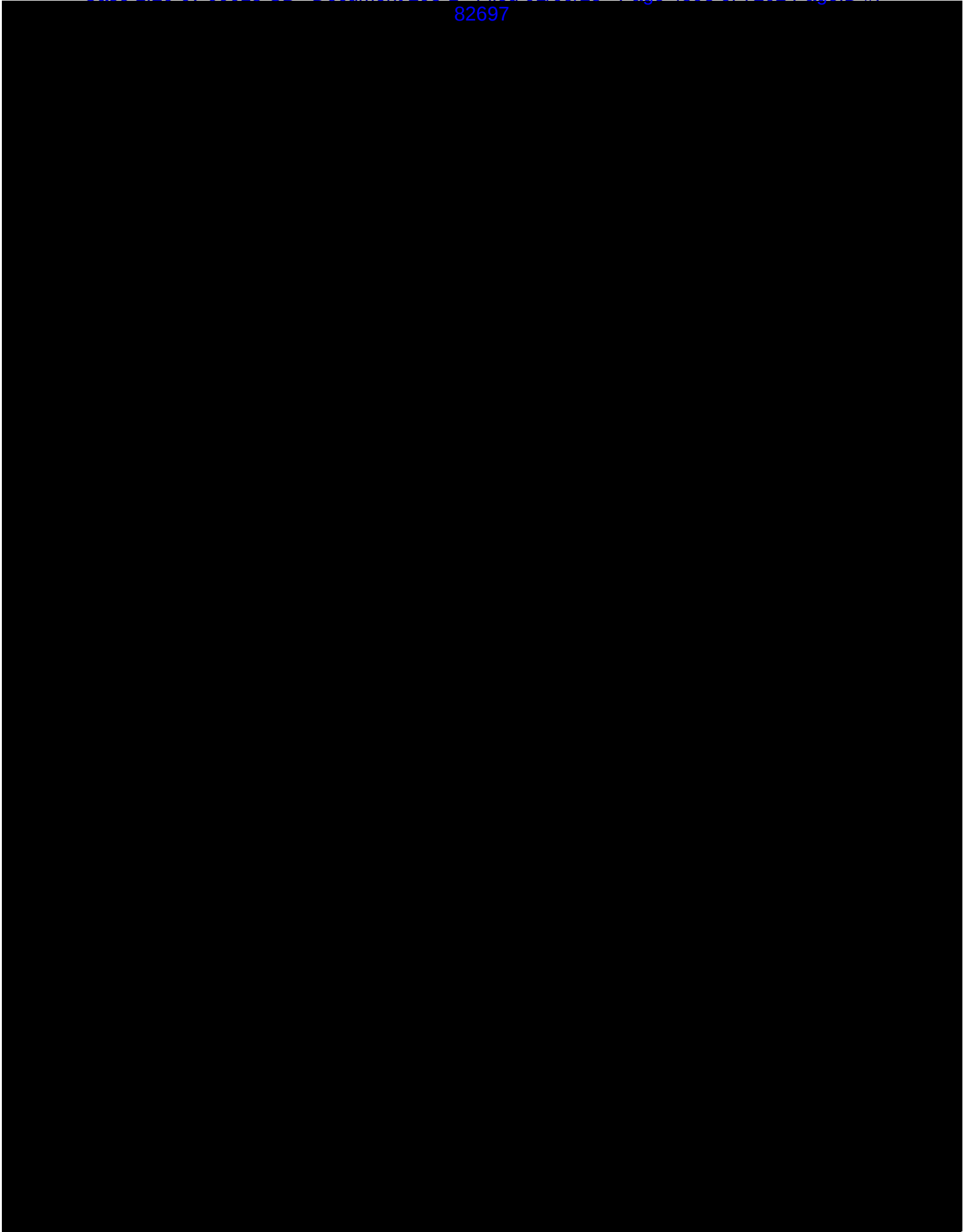
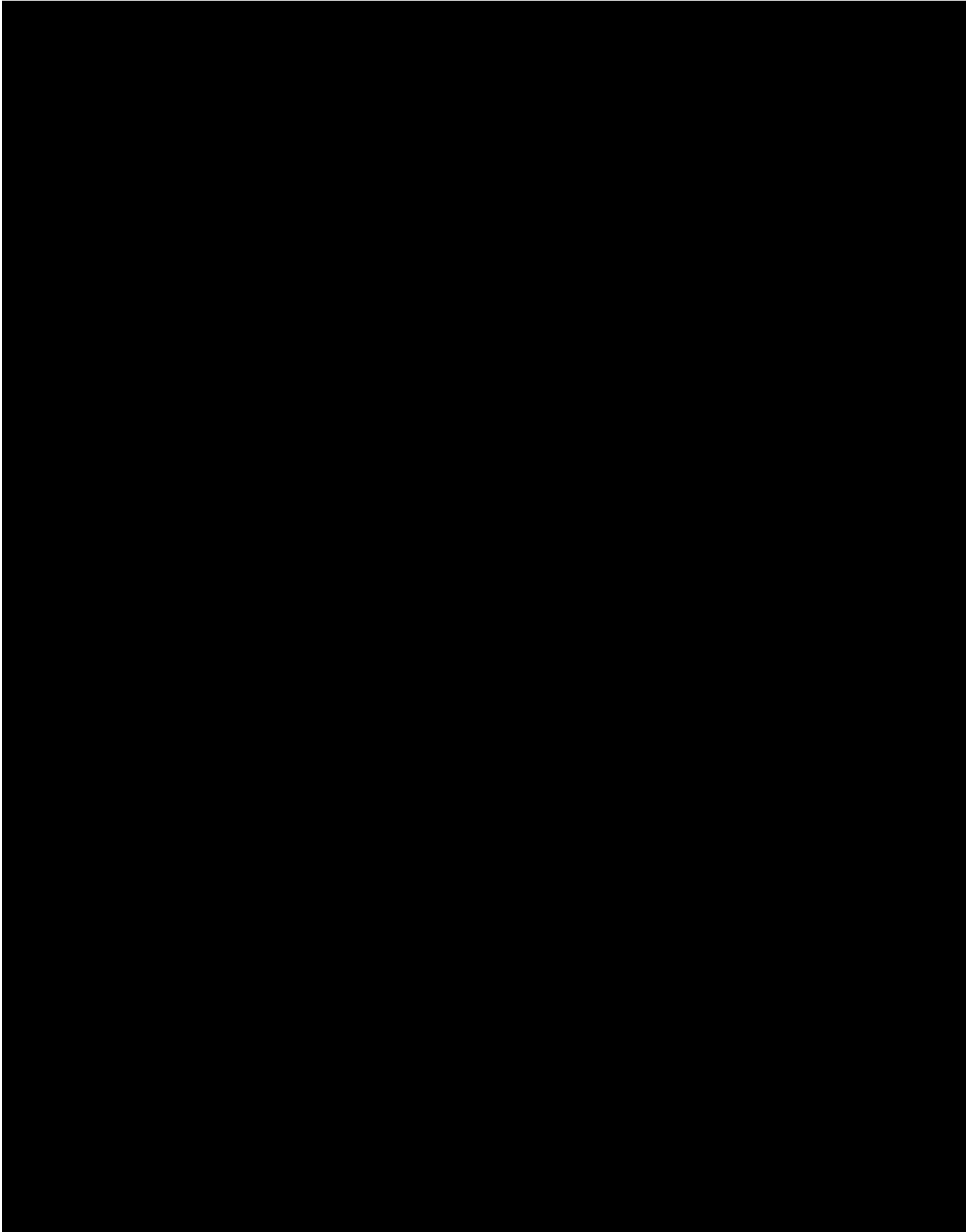


EXHIBIT 60





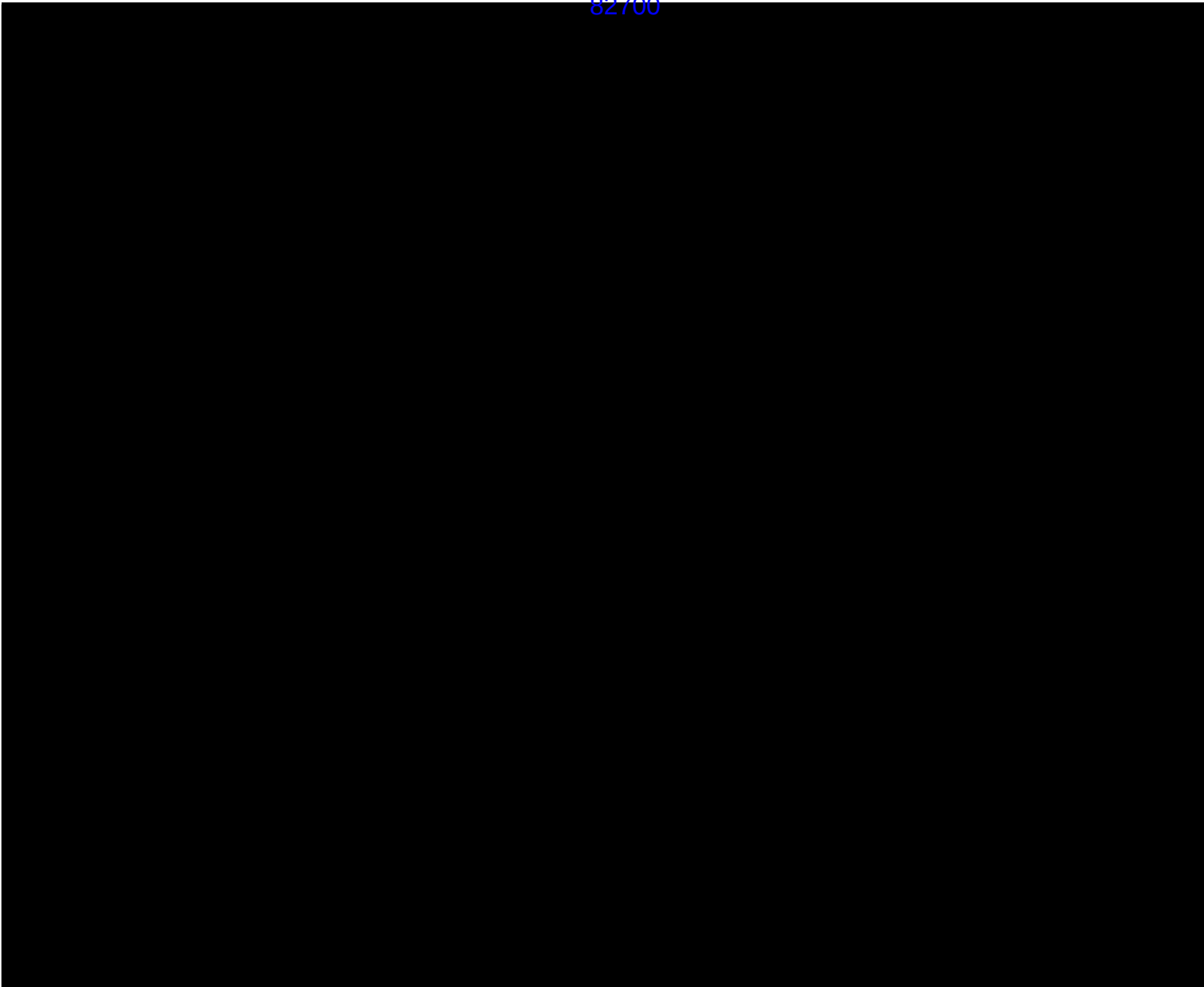
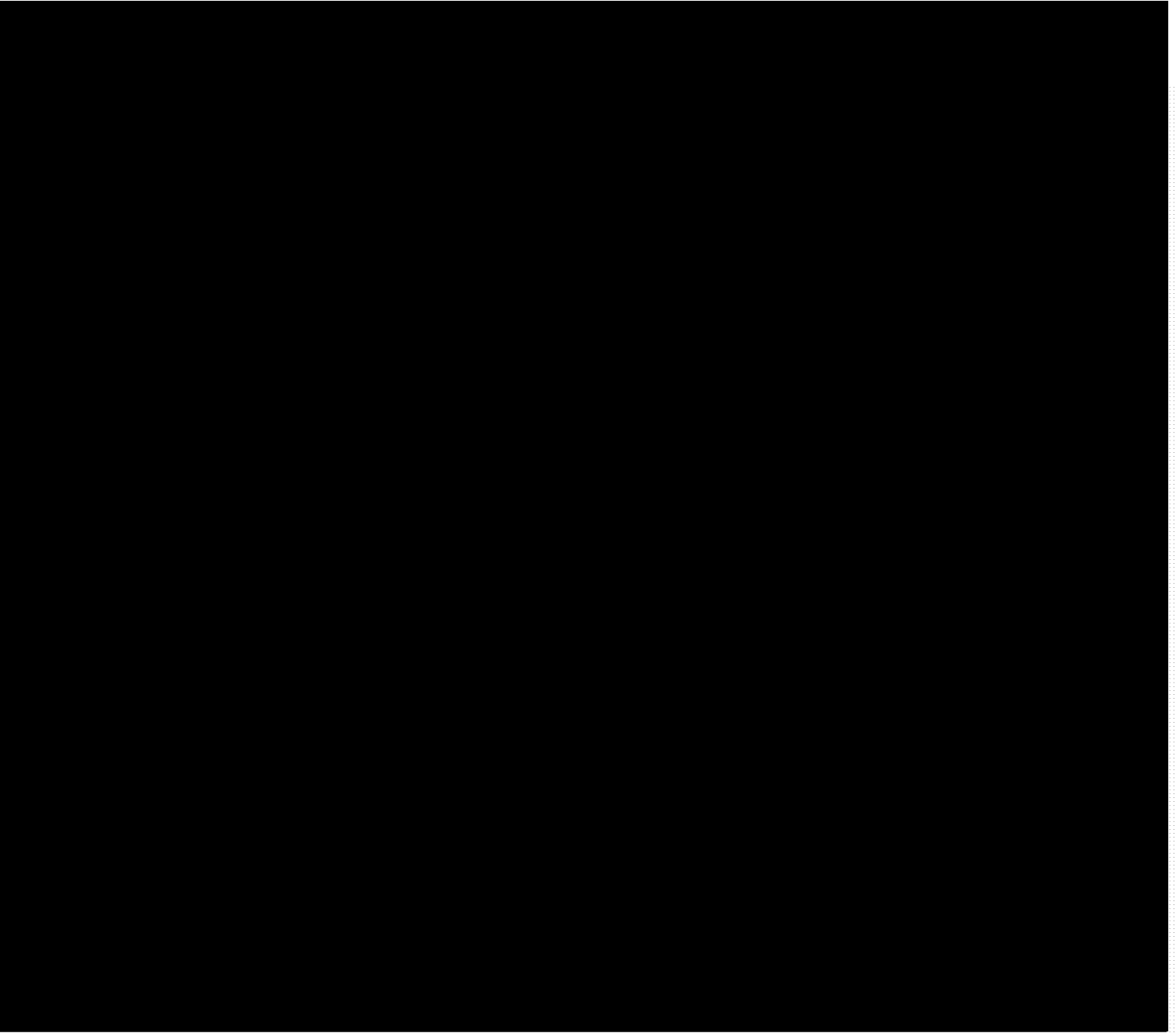
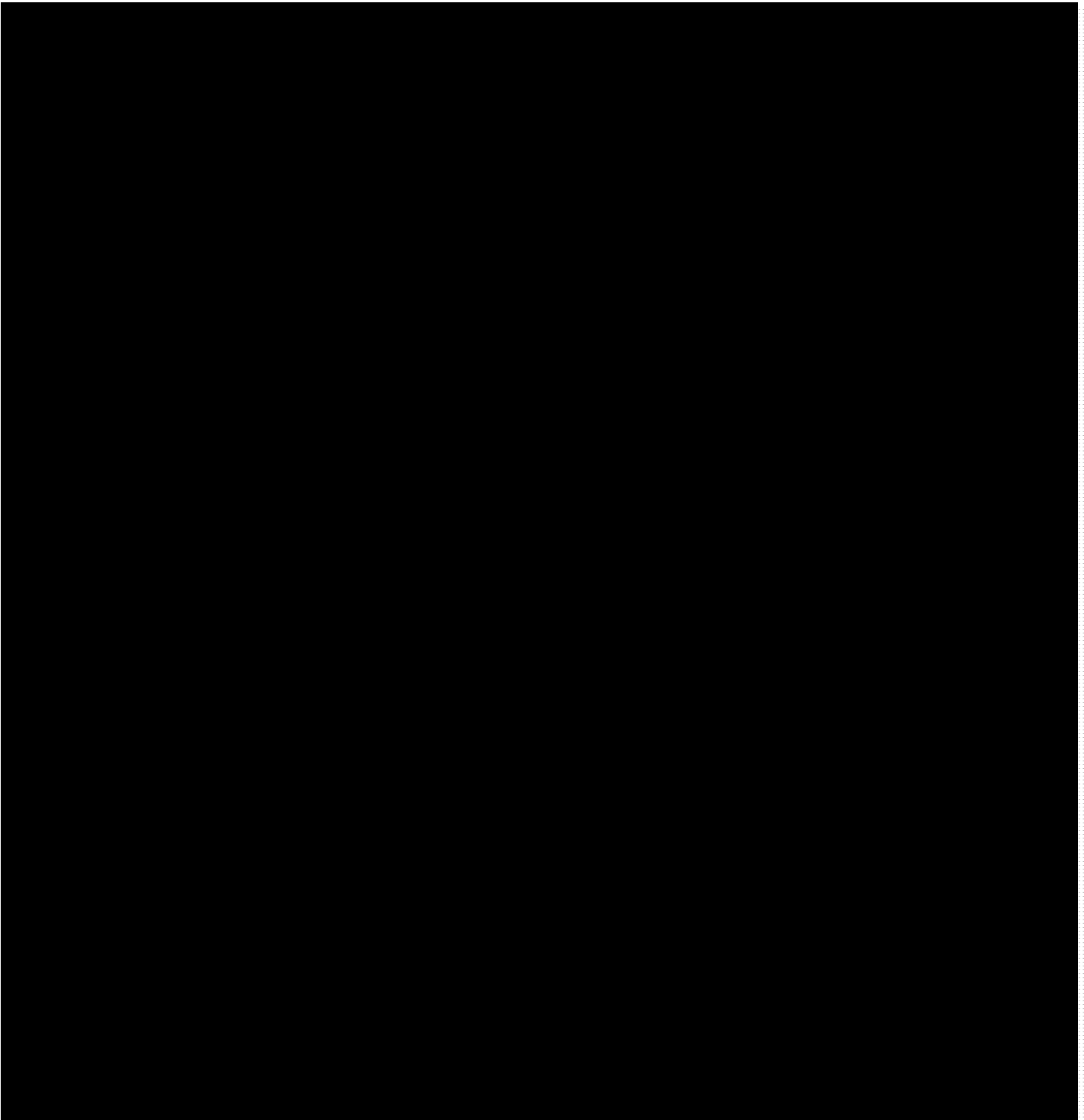
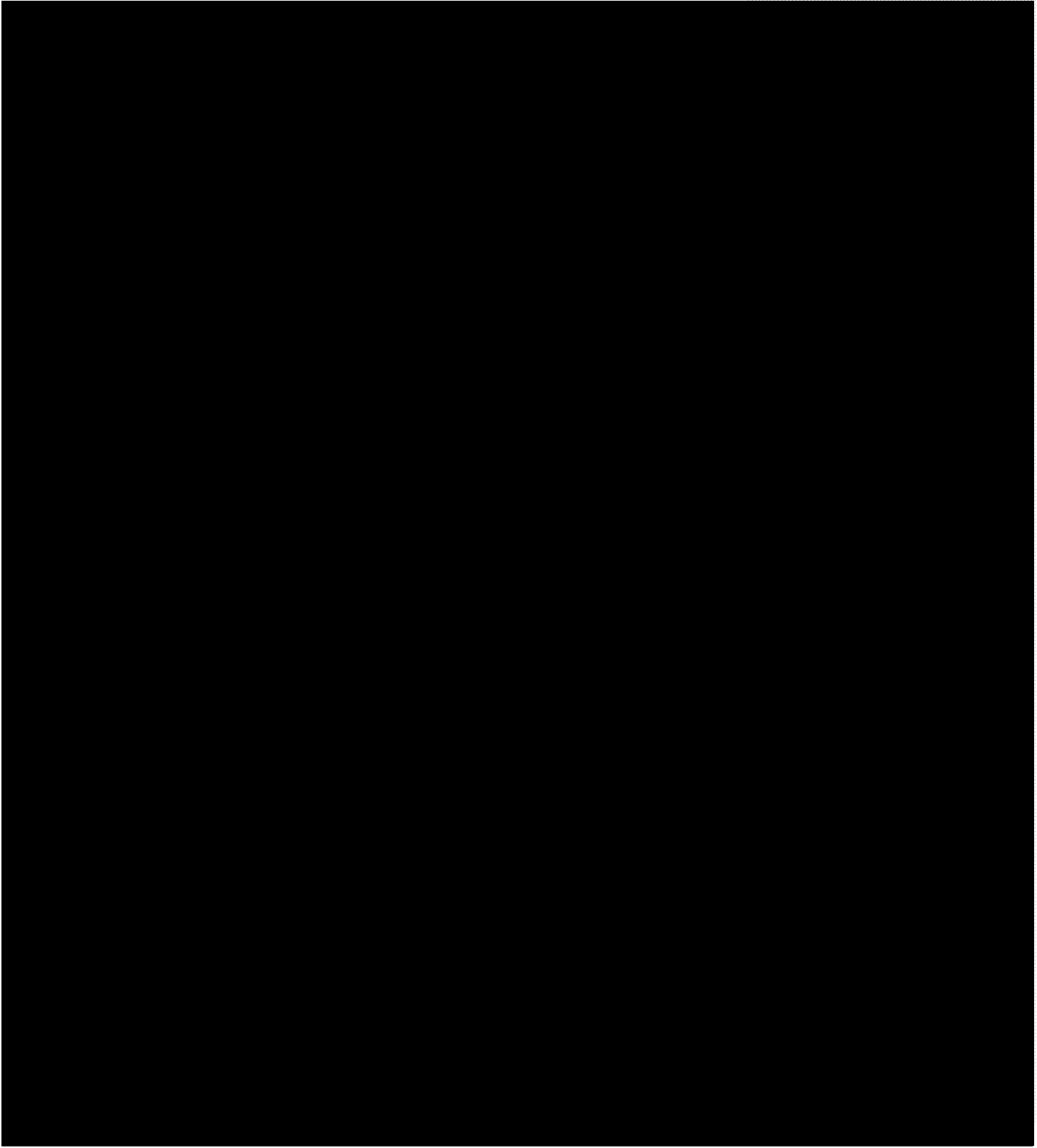
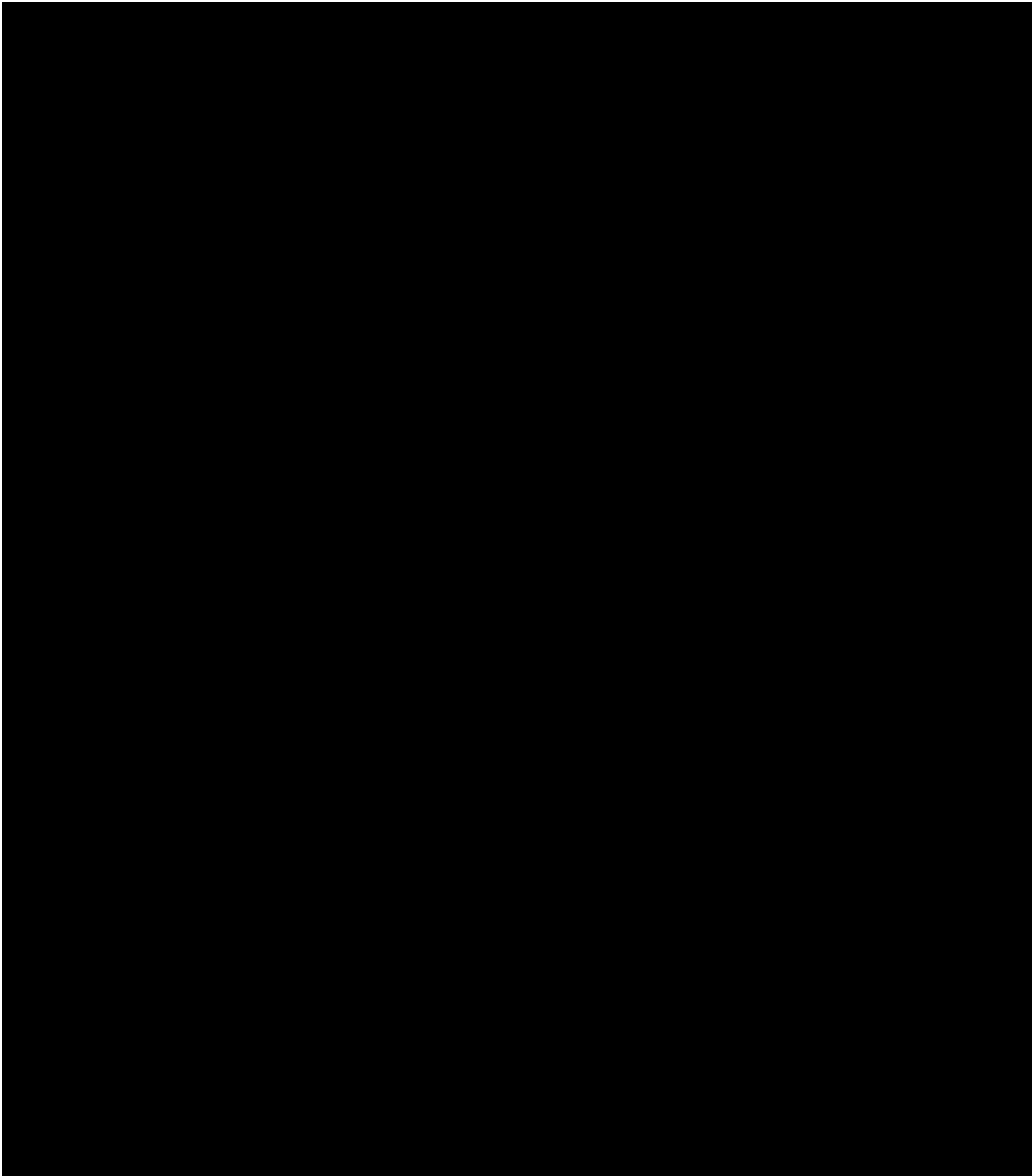


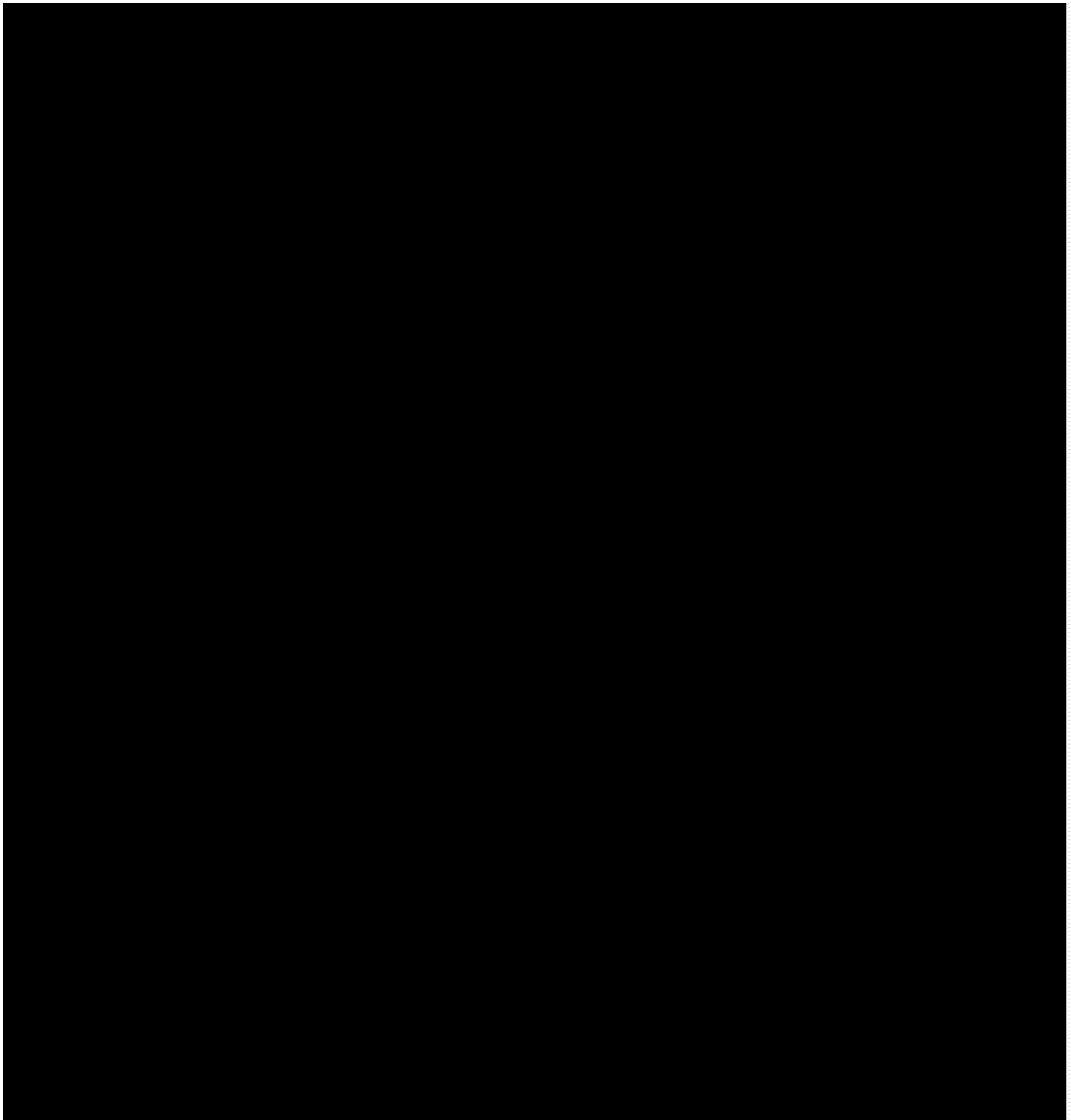
EXHIBIT 61

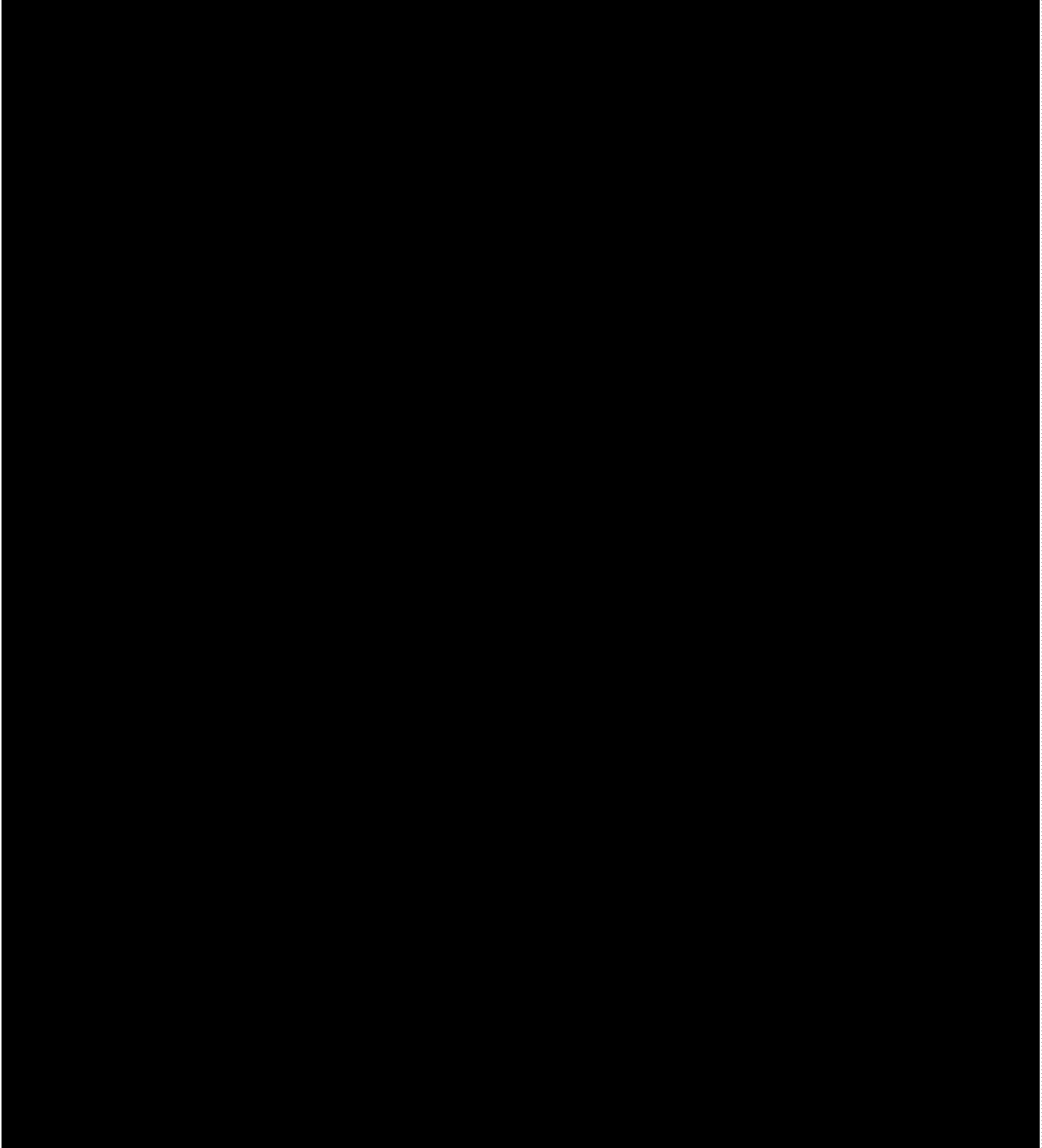


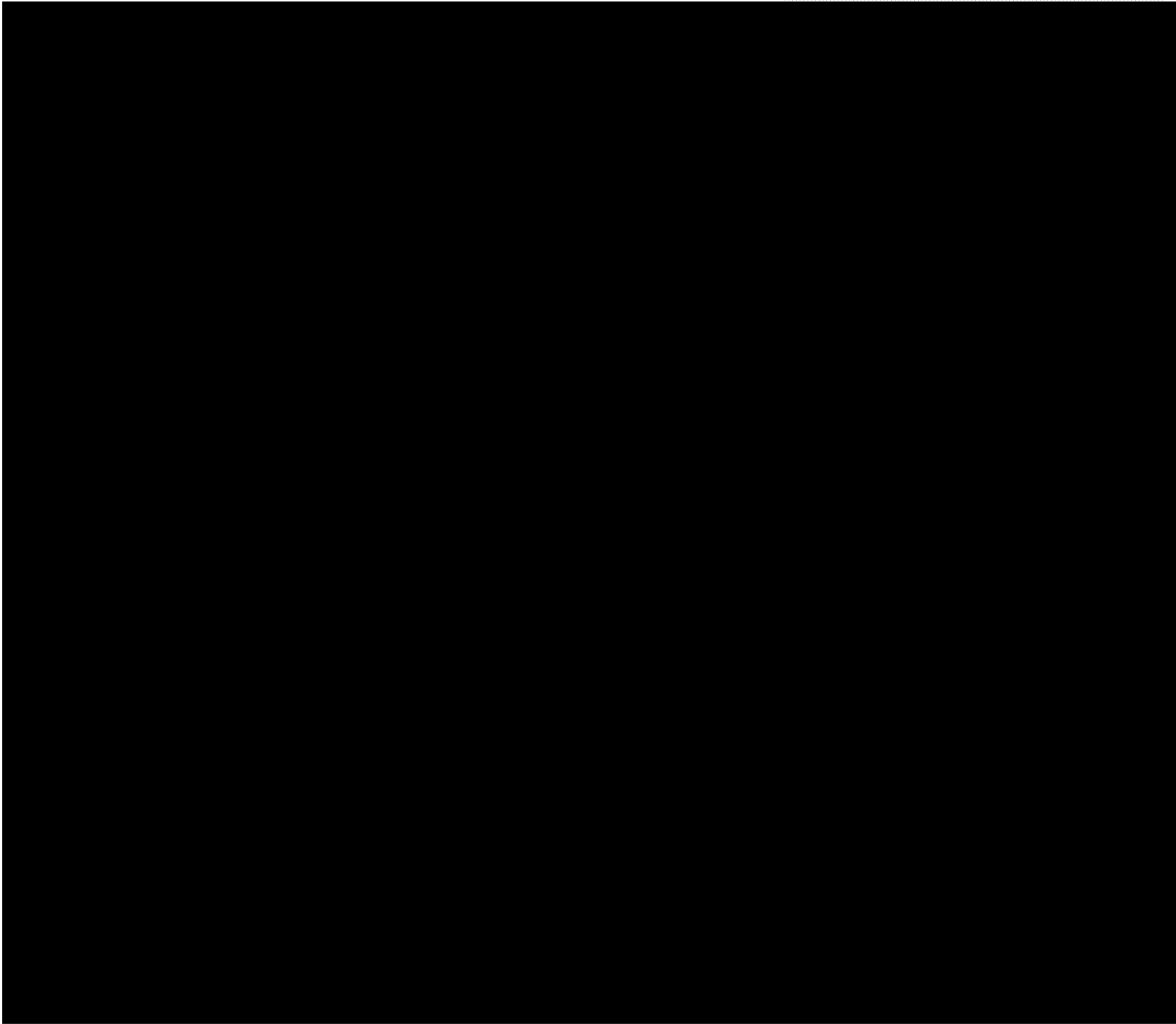












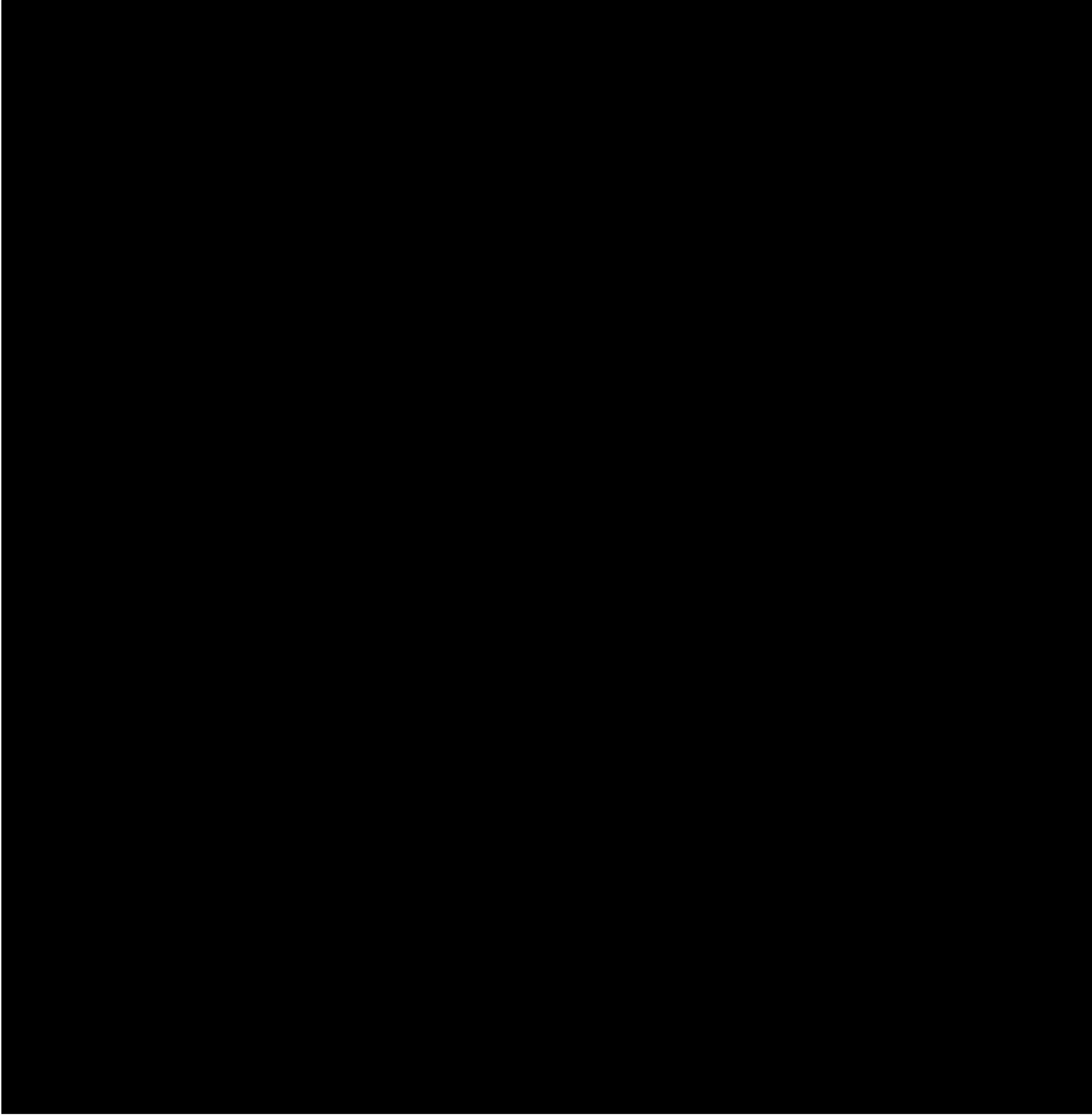
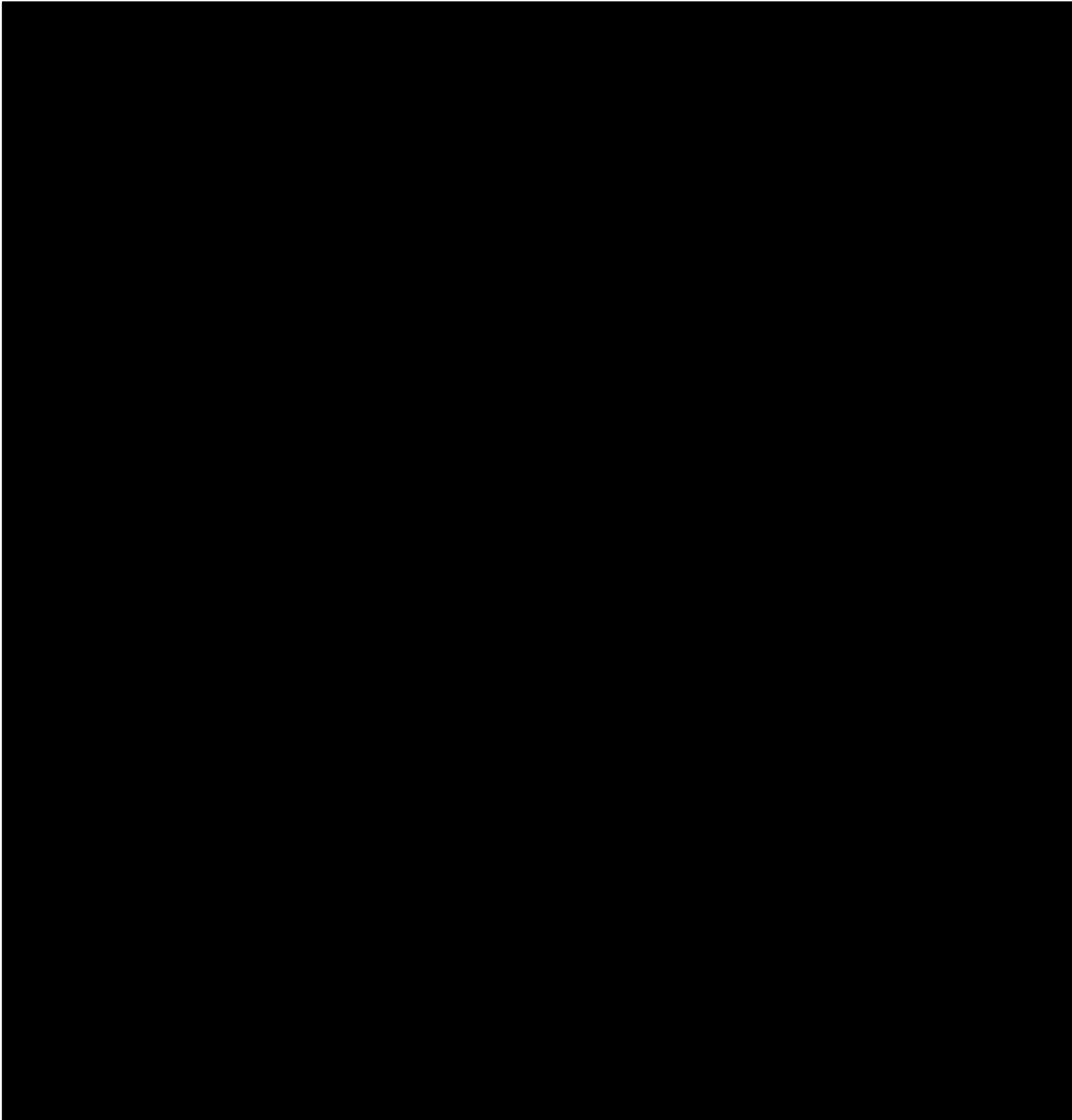


EXHIBIT 62



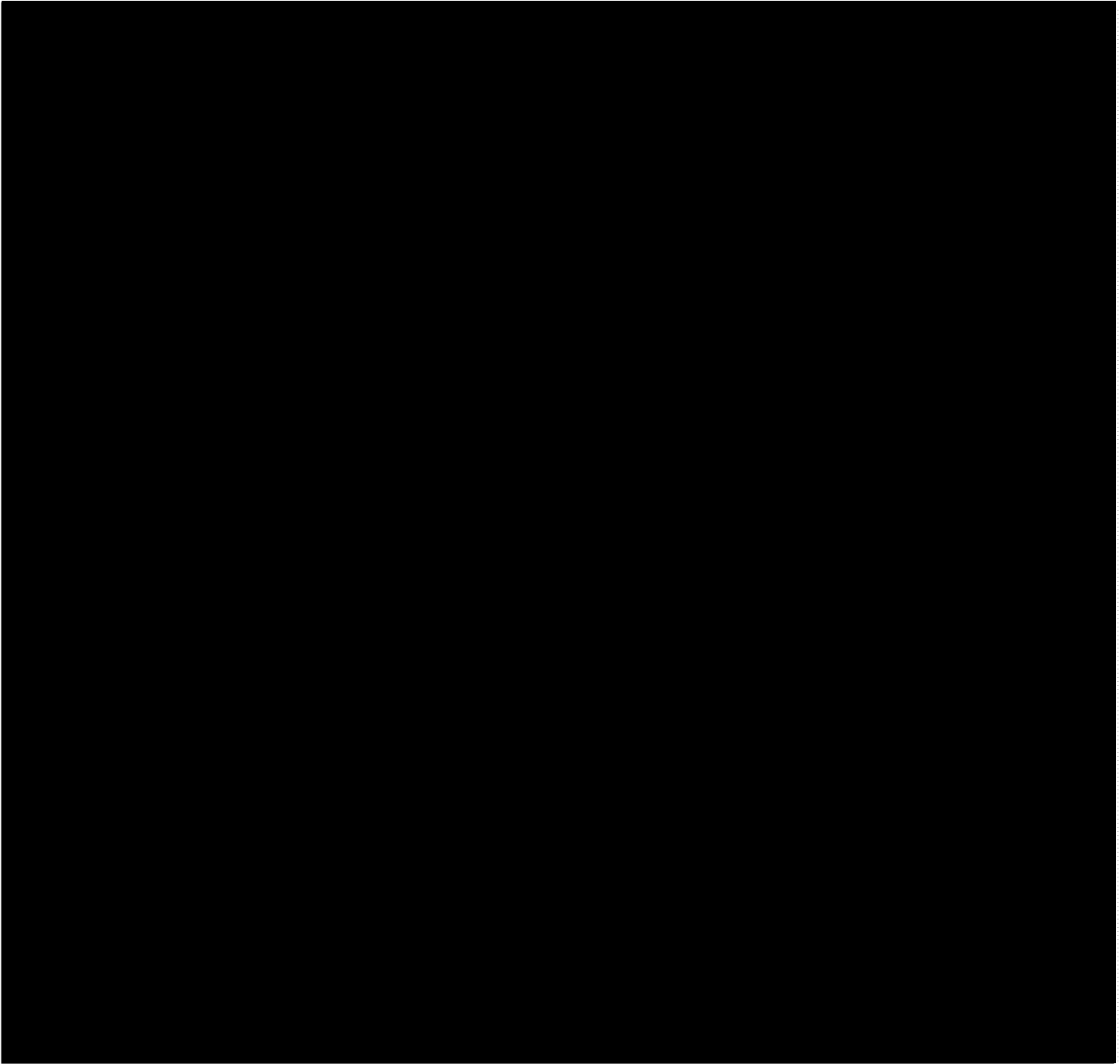


EXHIBIT 63

EXHIBIT 64

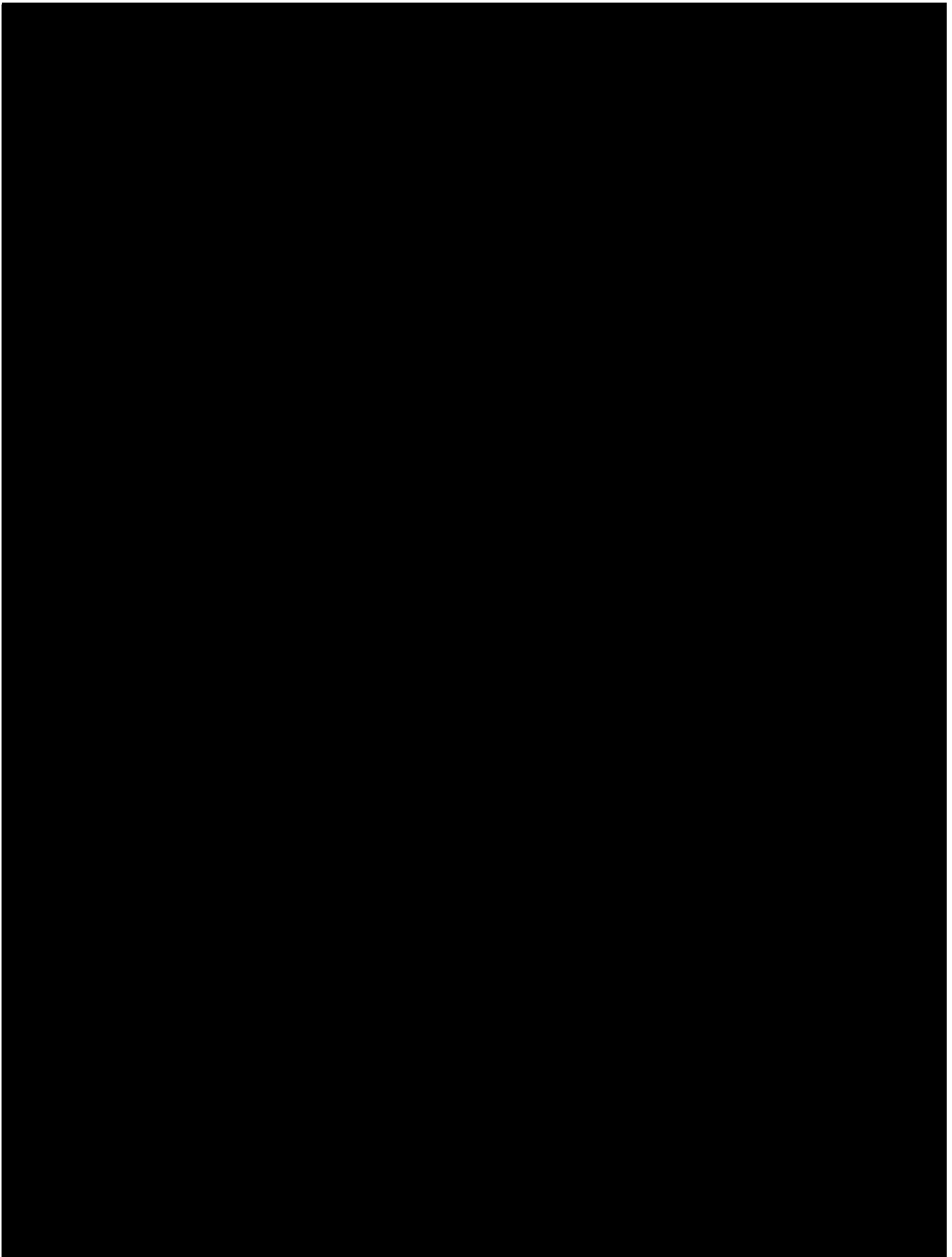
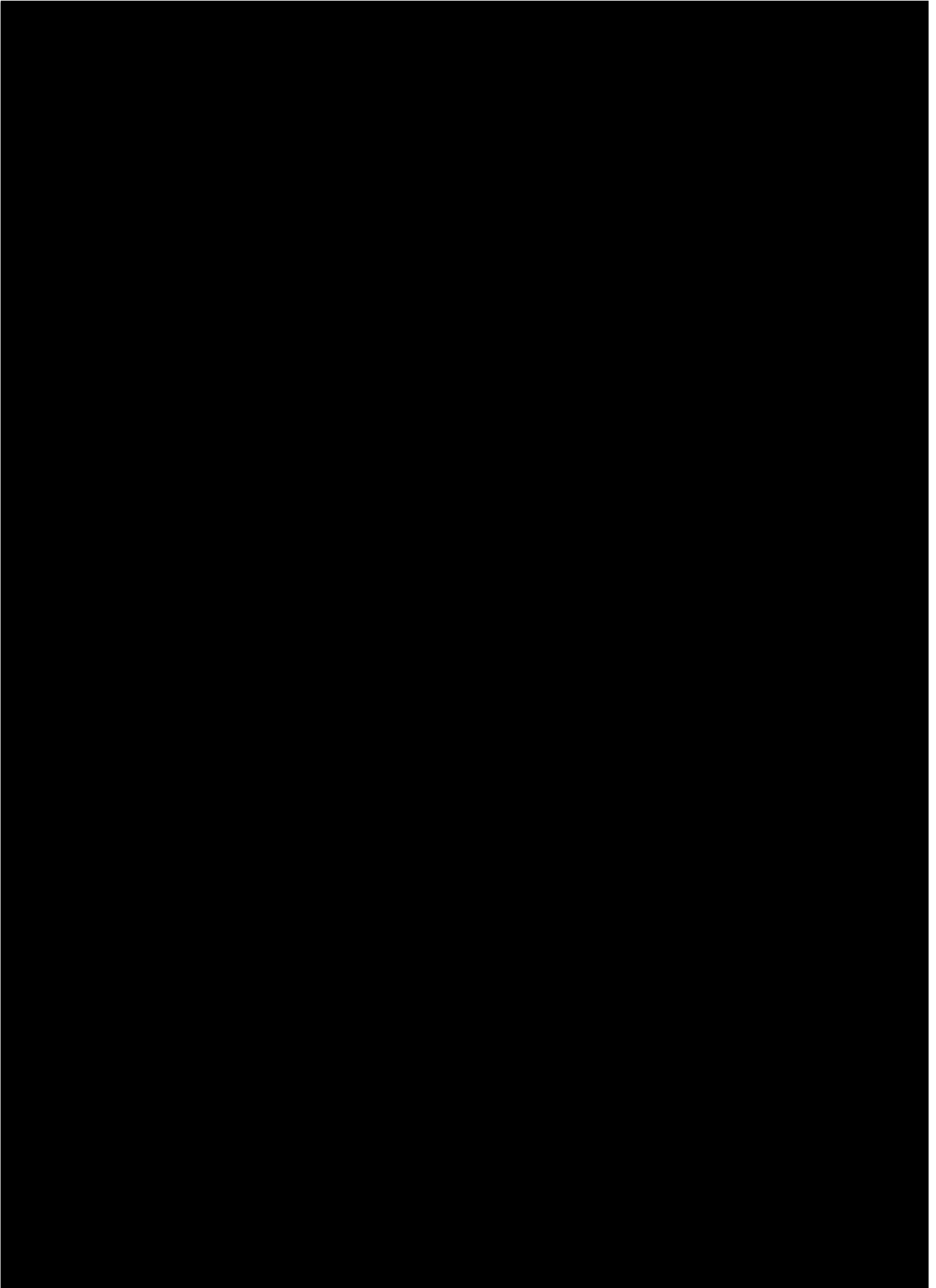


EXHIBIT 65



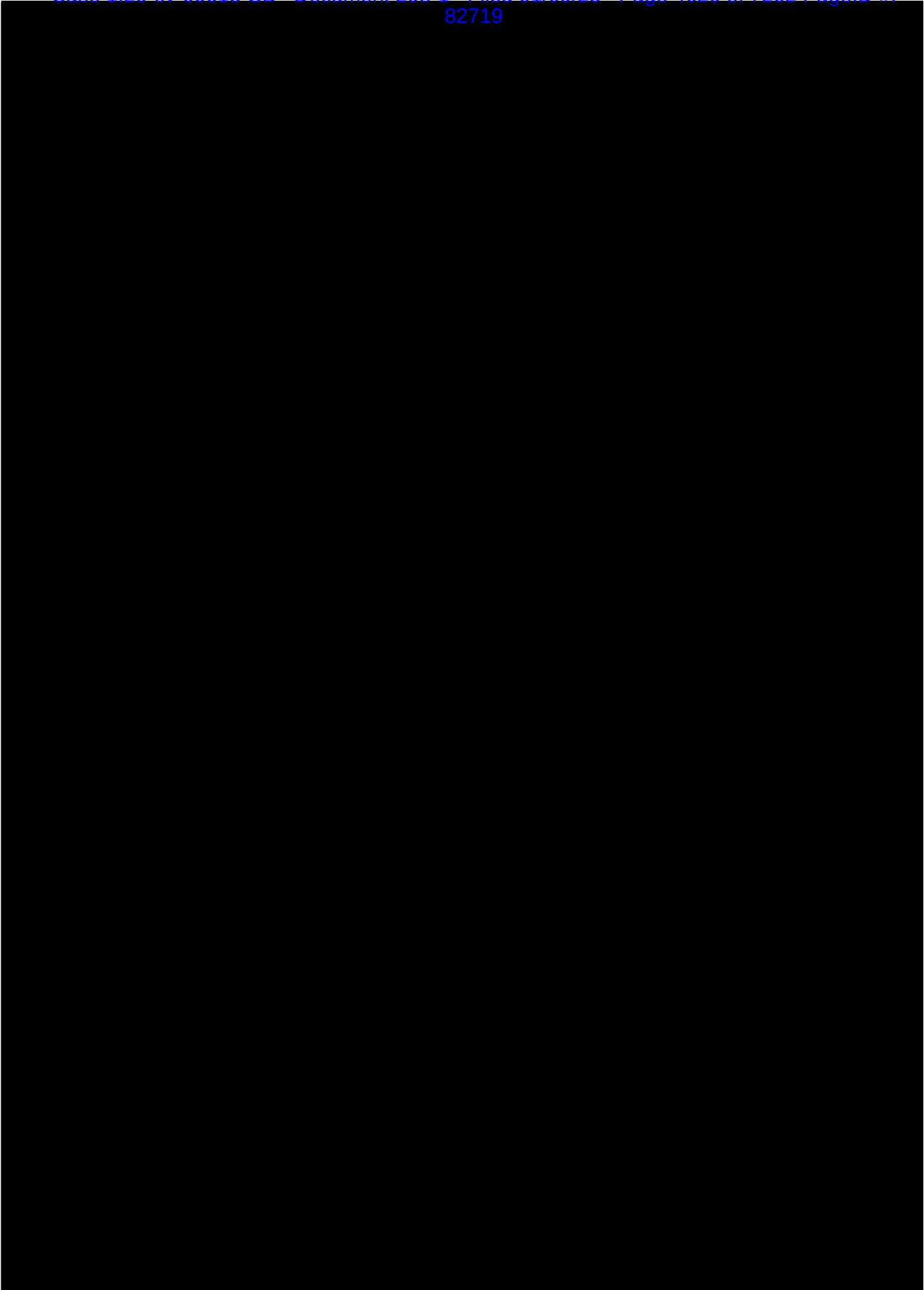
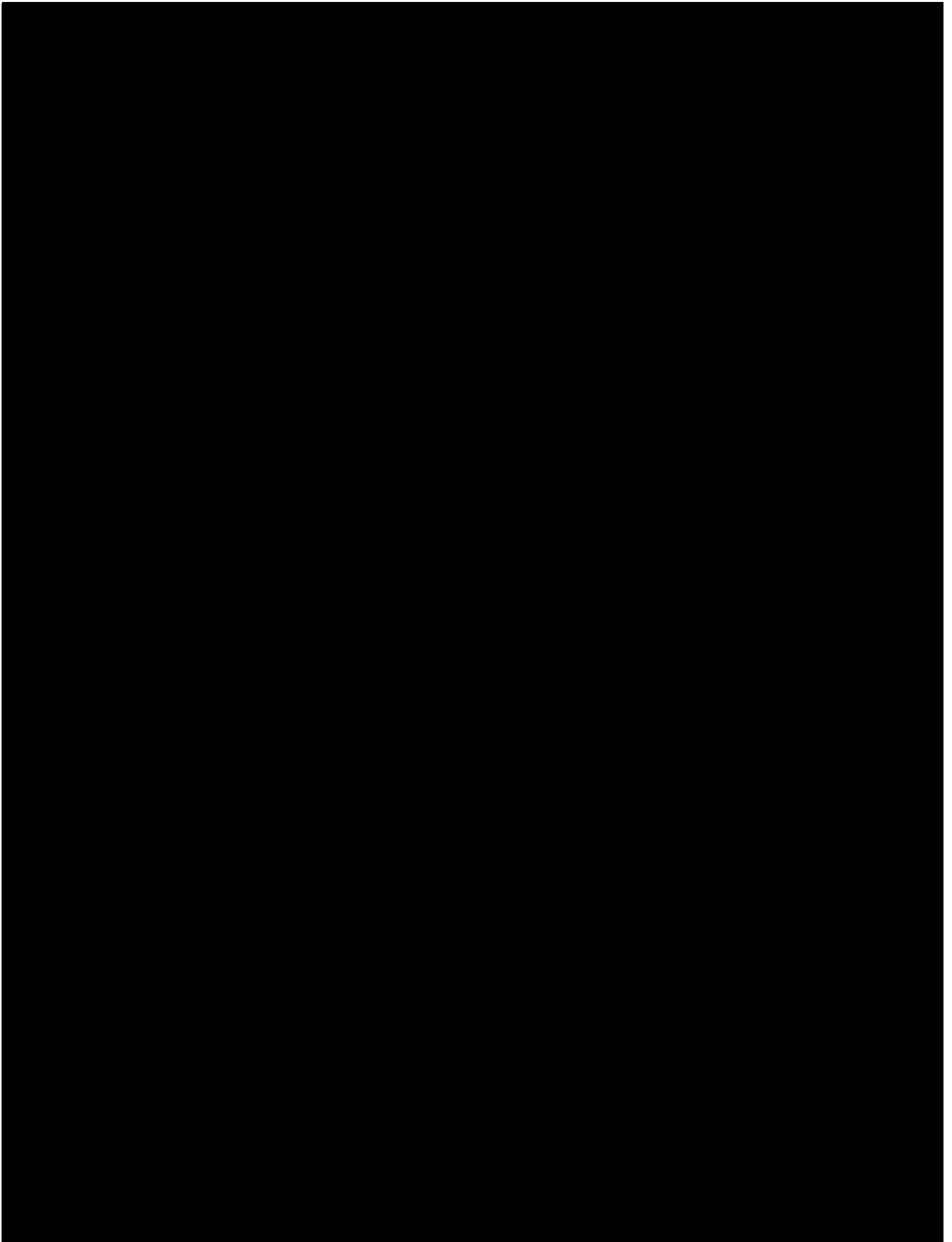
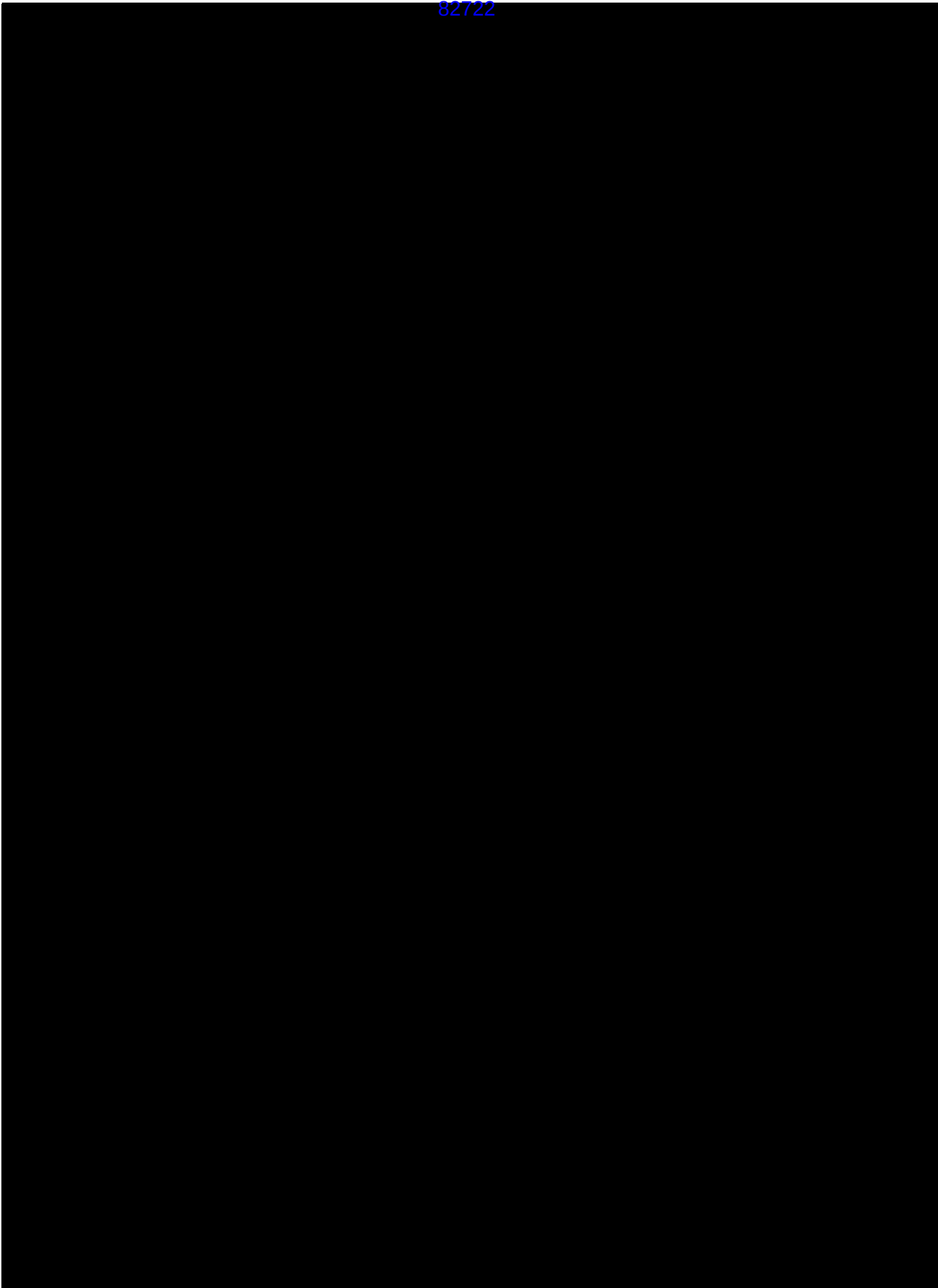


EXHIBIT 66





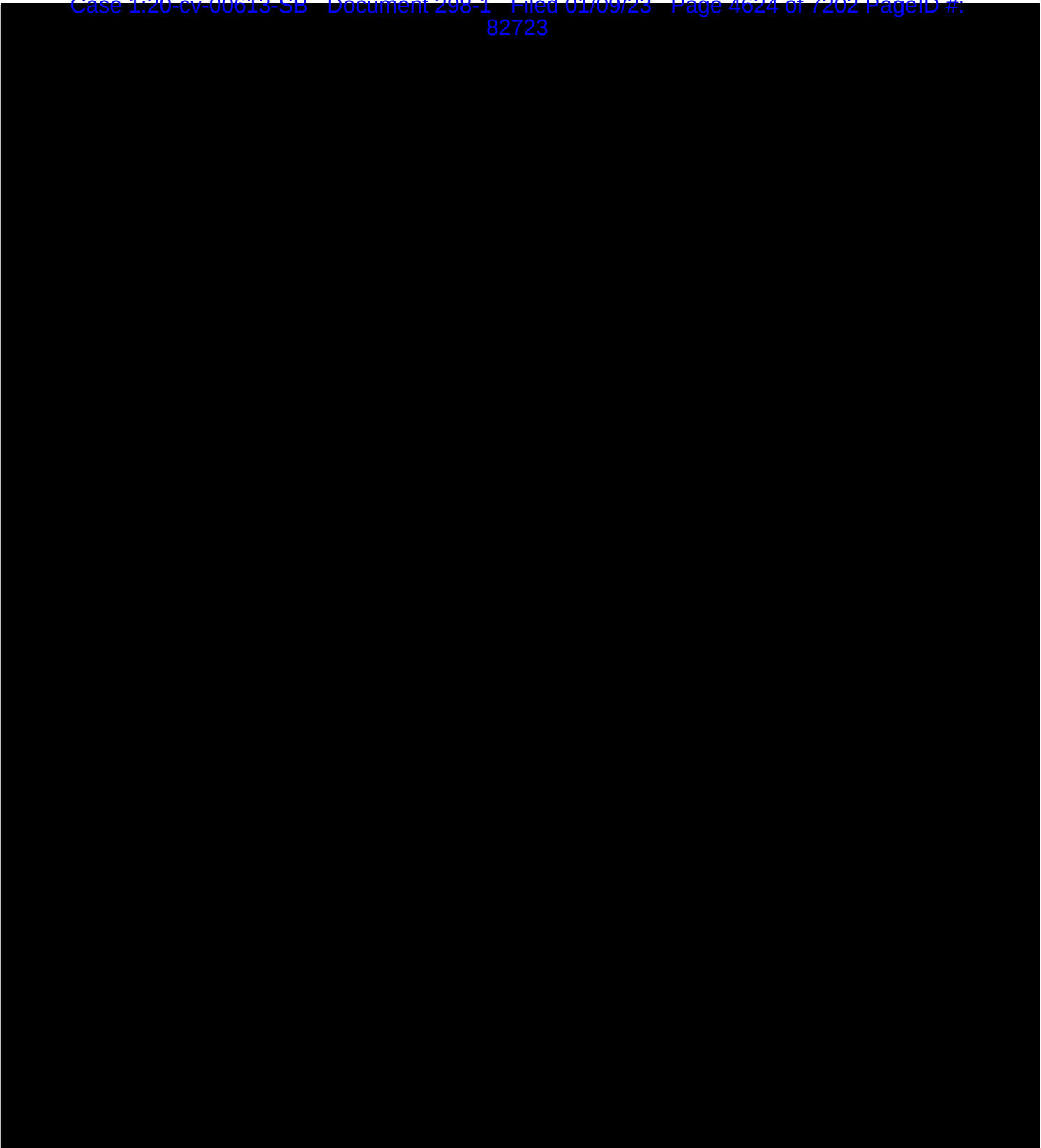
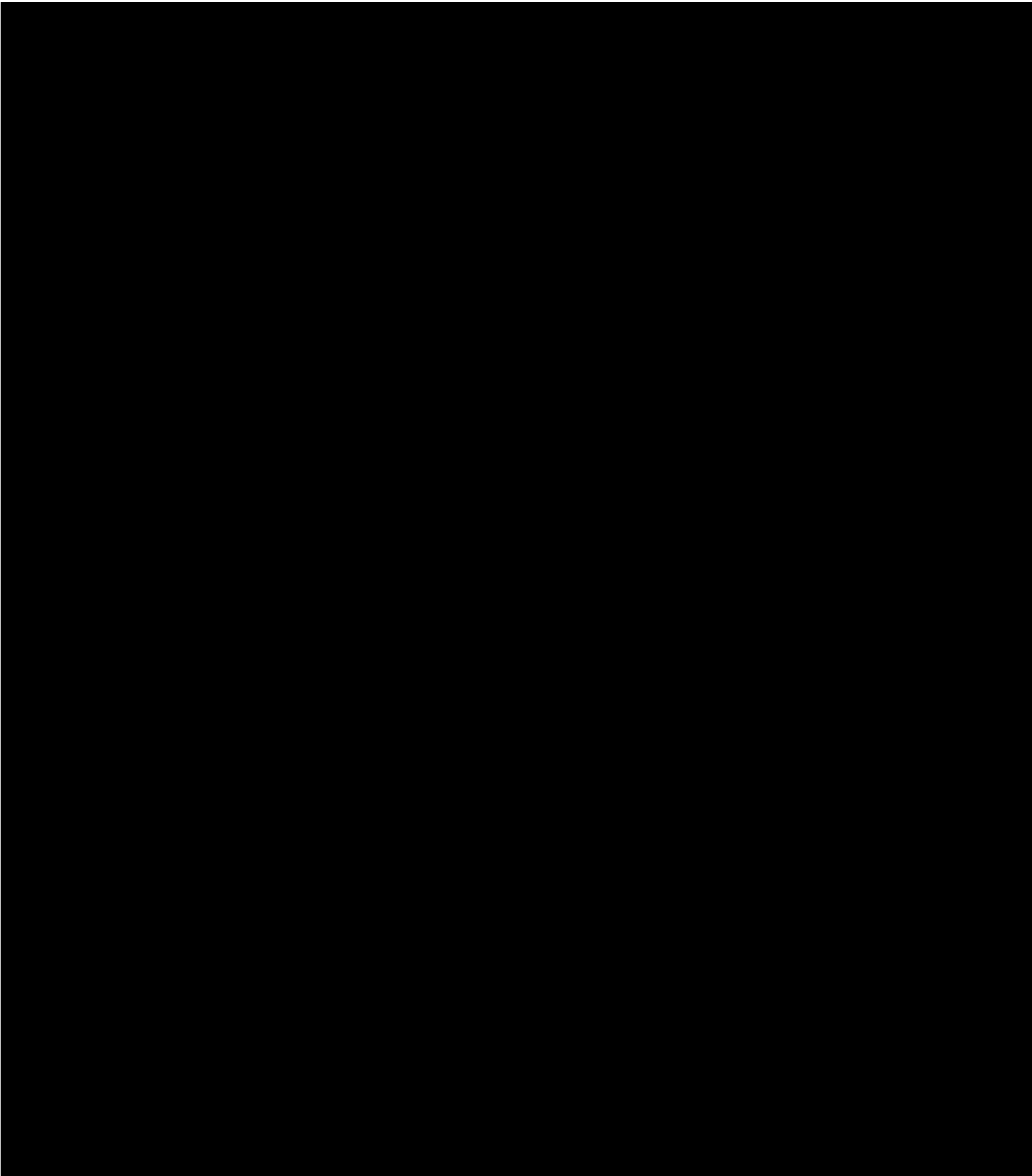


EXHIBIT 67



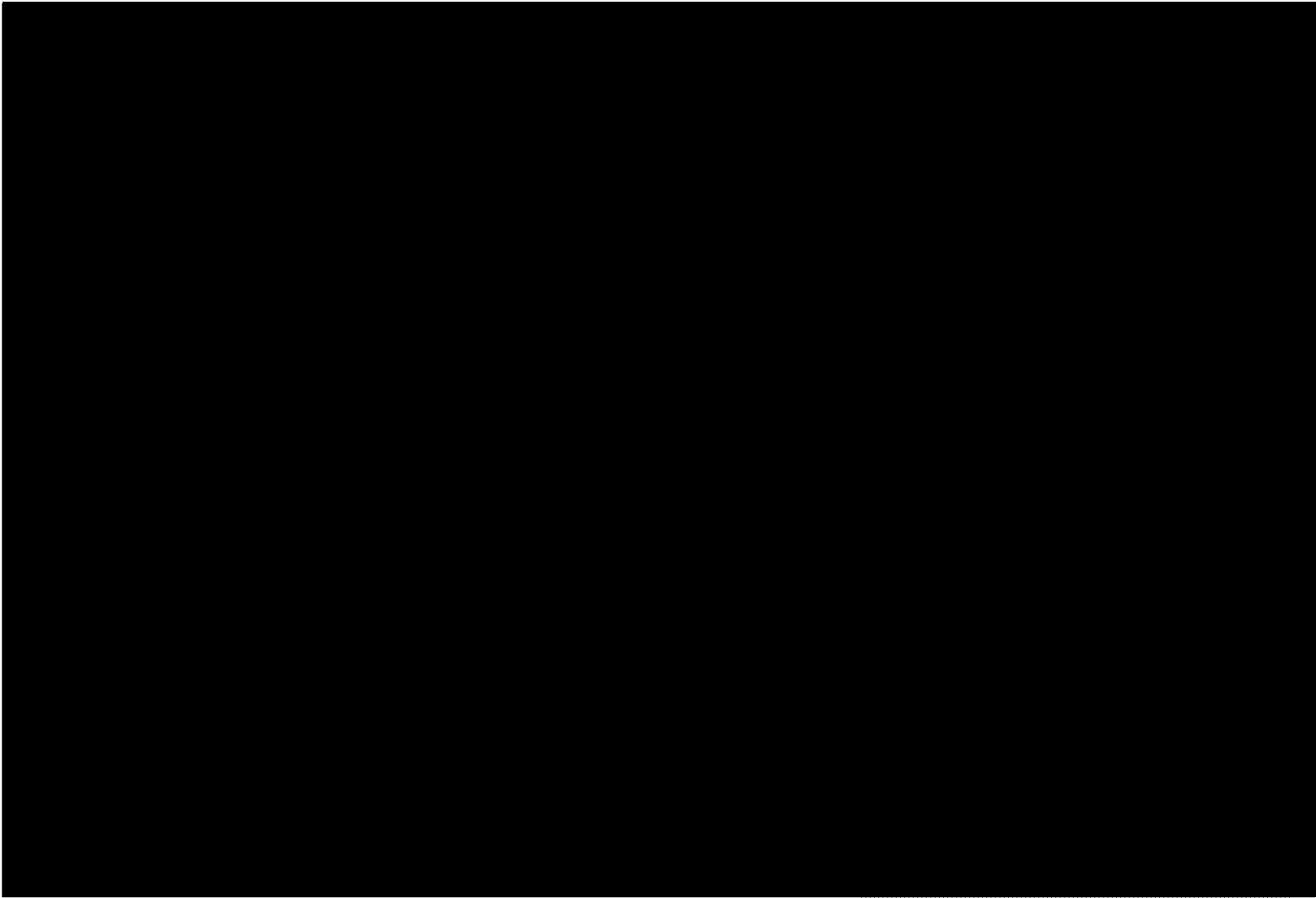
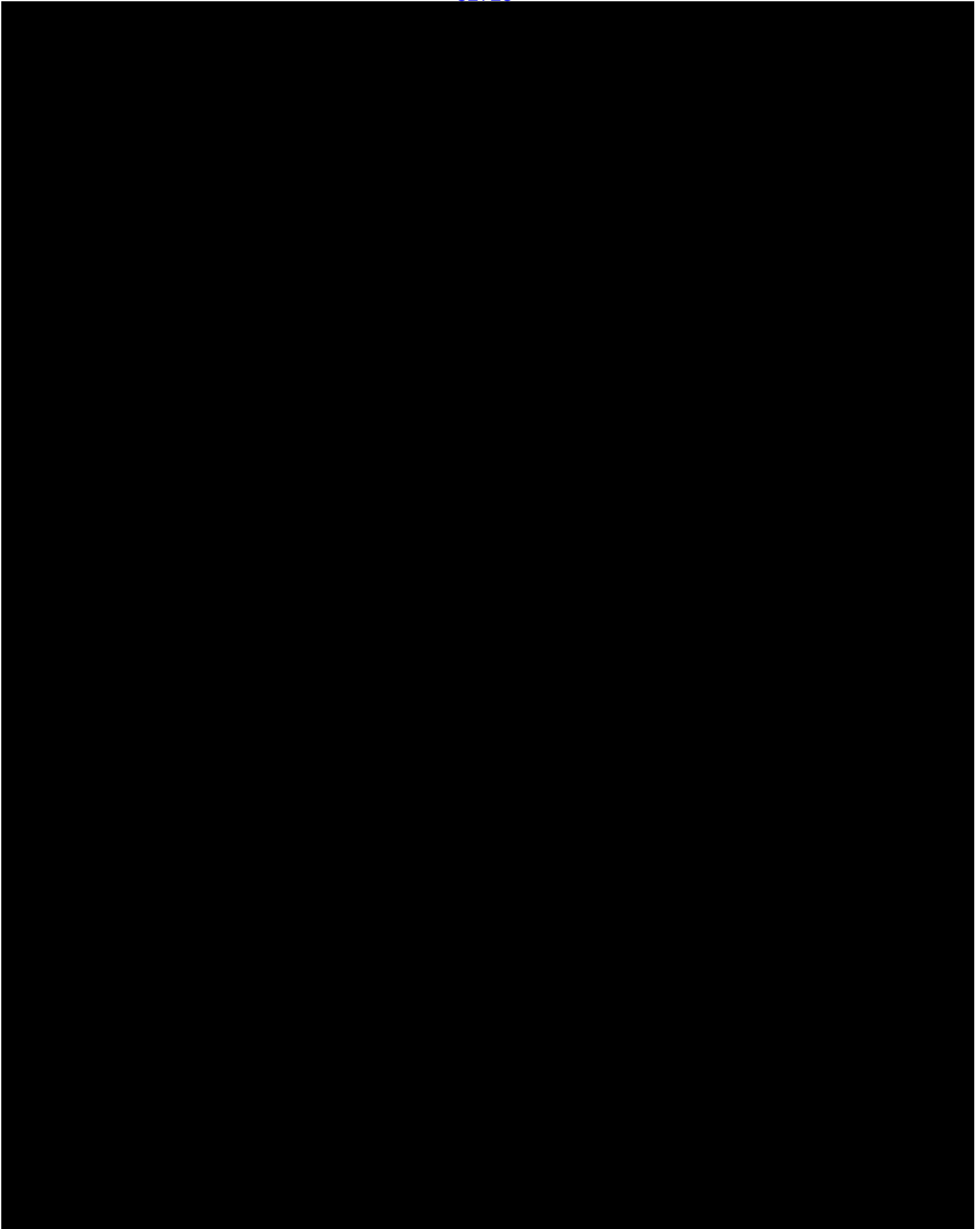


EXHIBIT 68



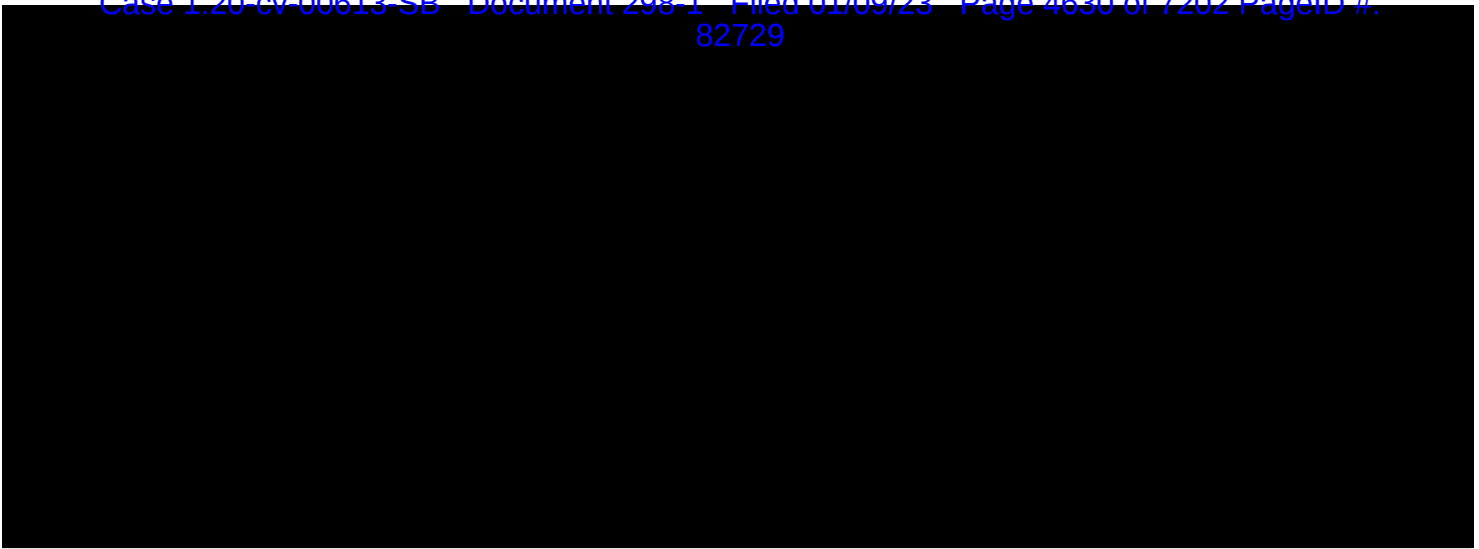
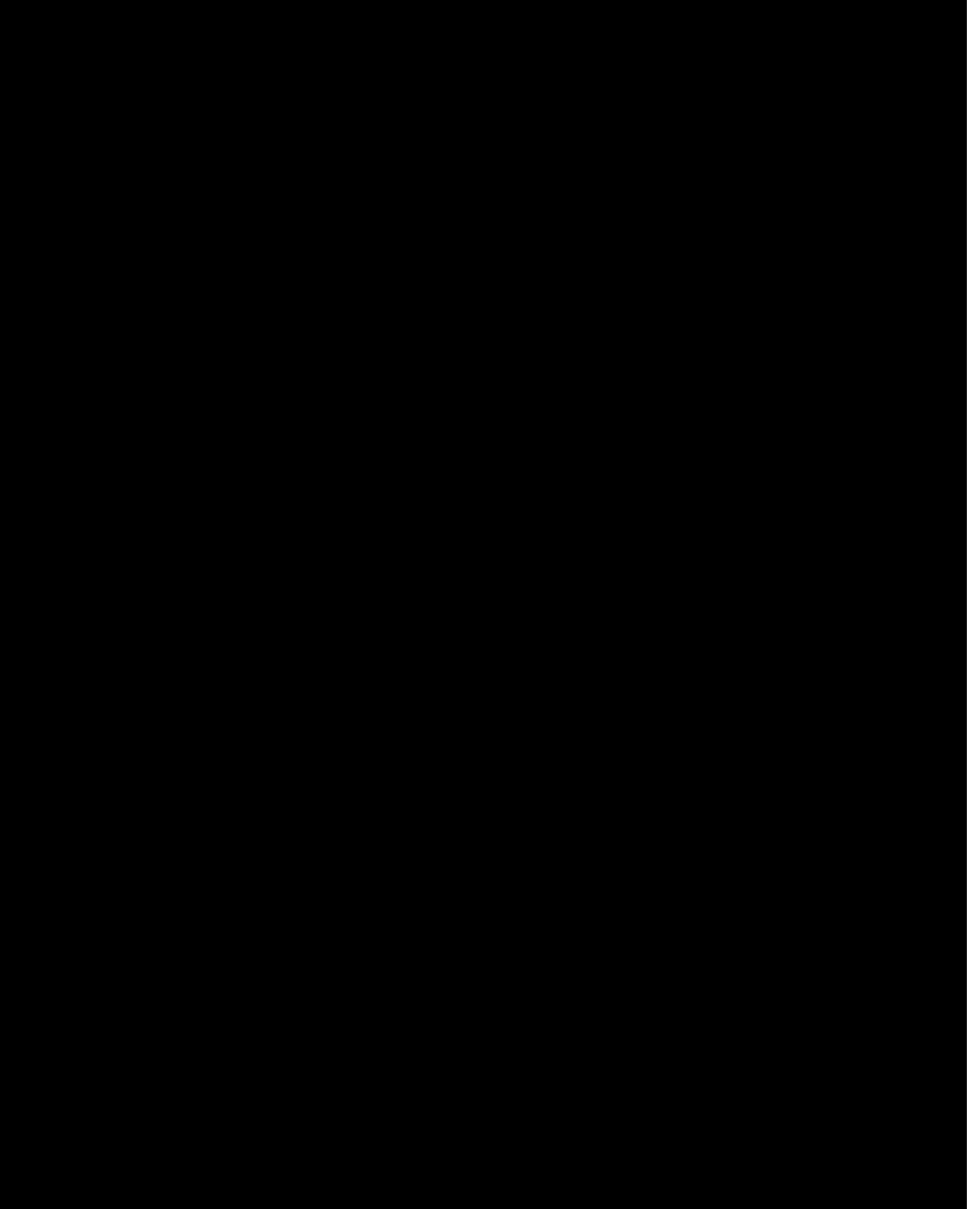
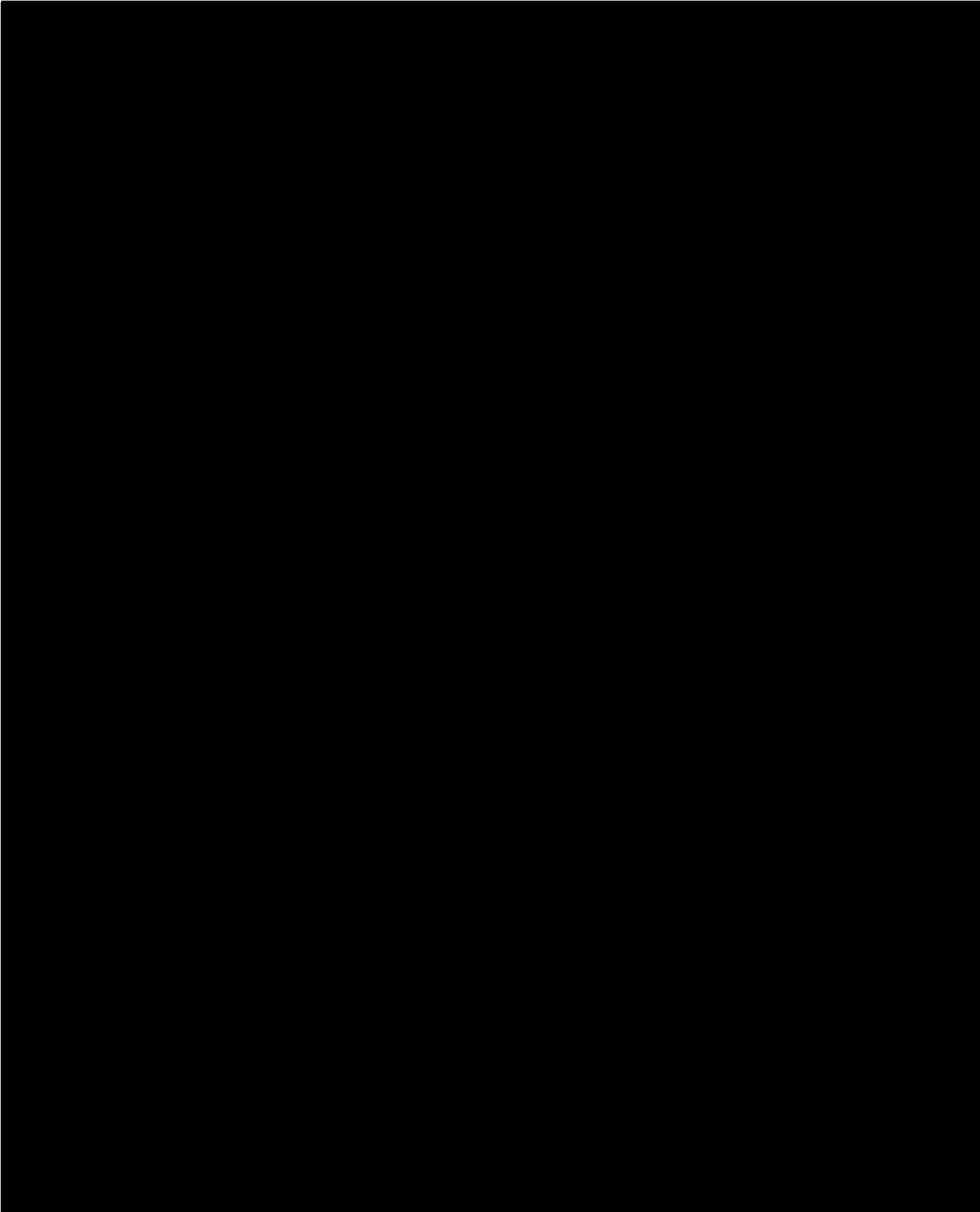


EXHIBIT 69







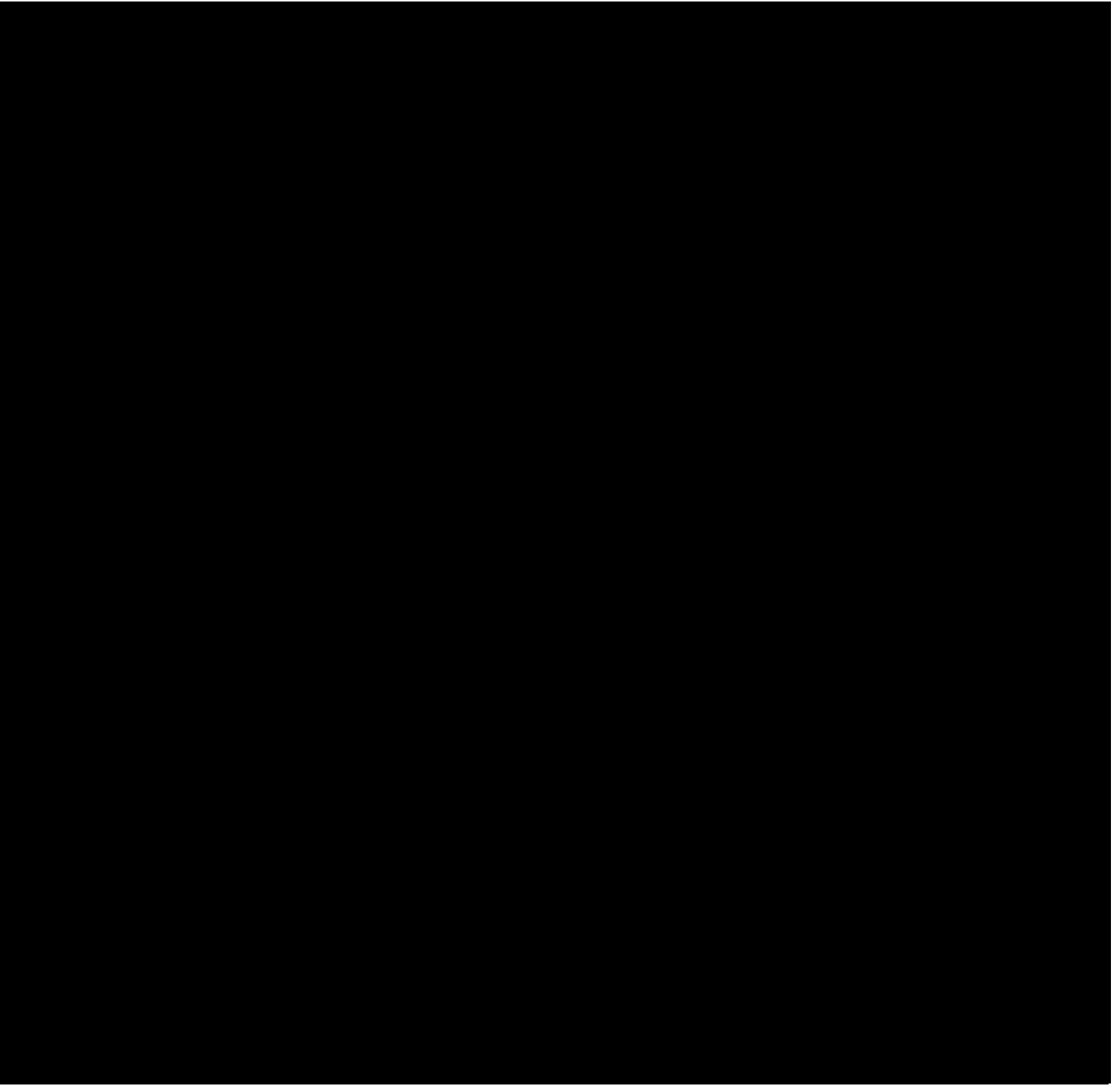
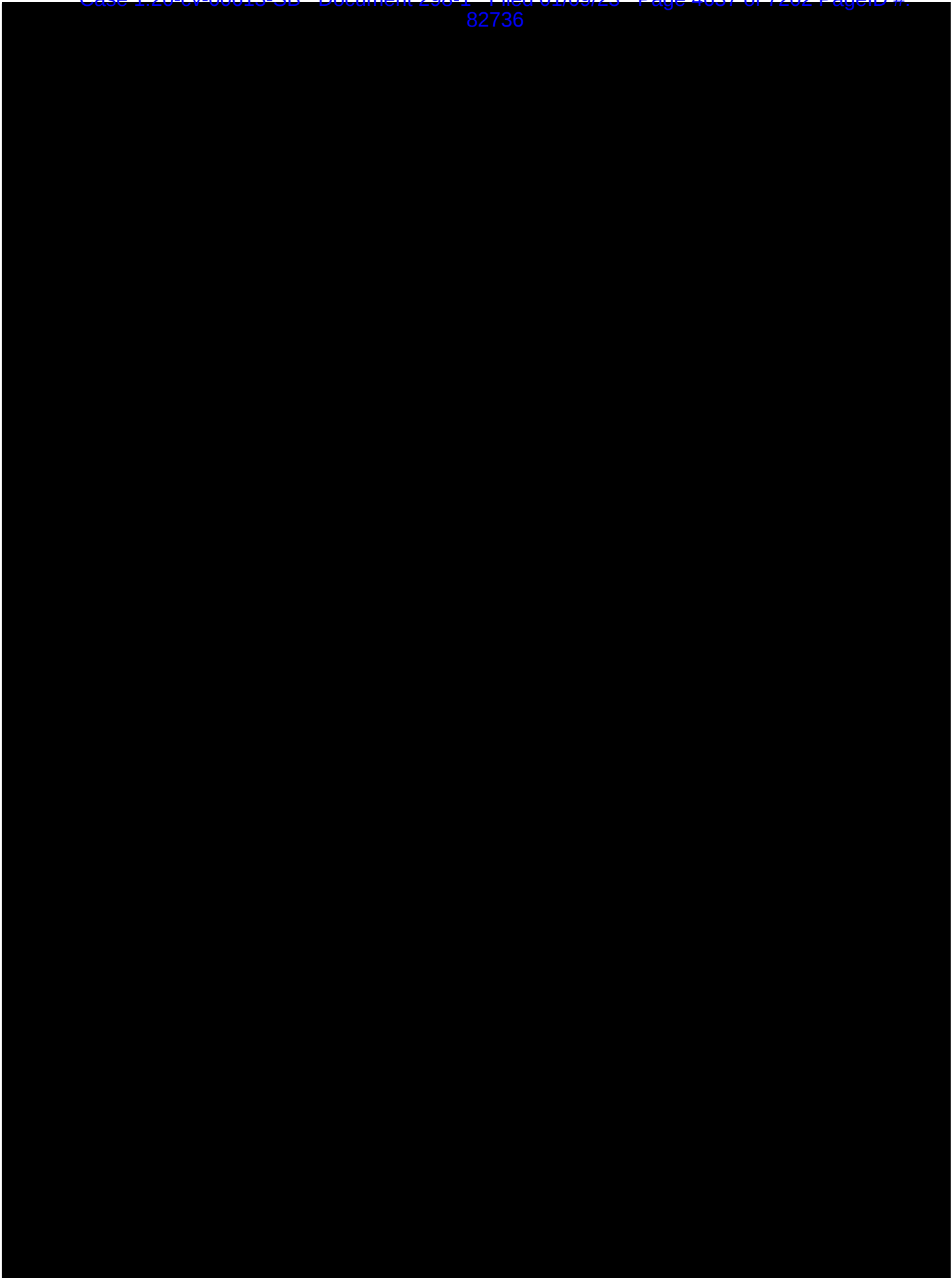


EXHIBIT 70



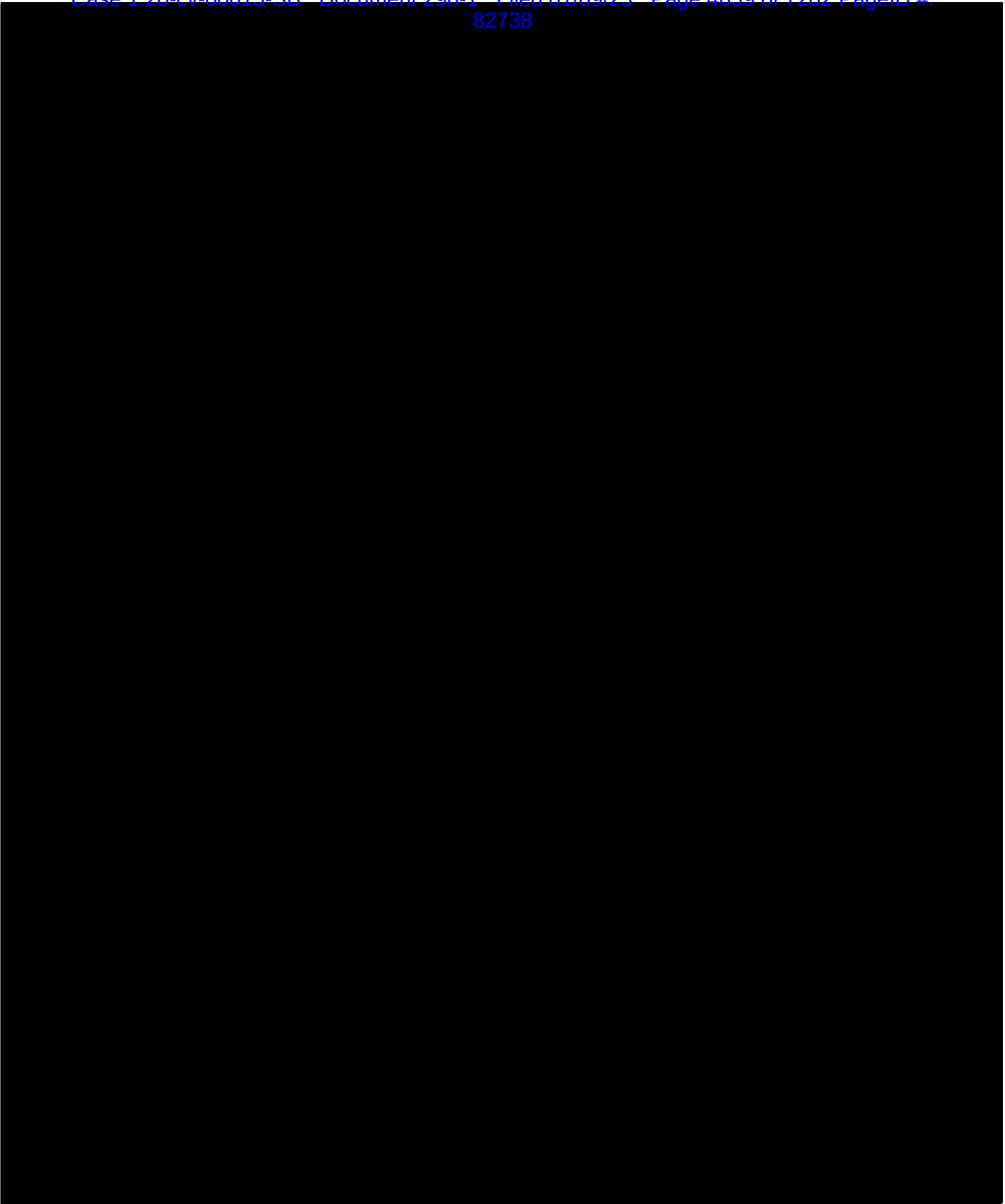
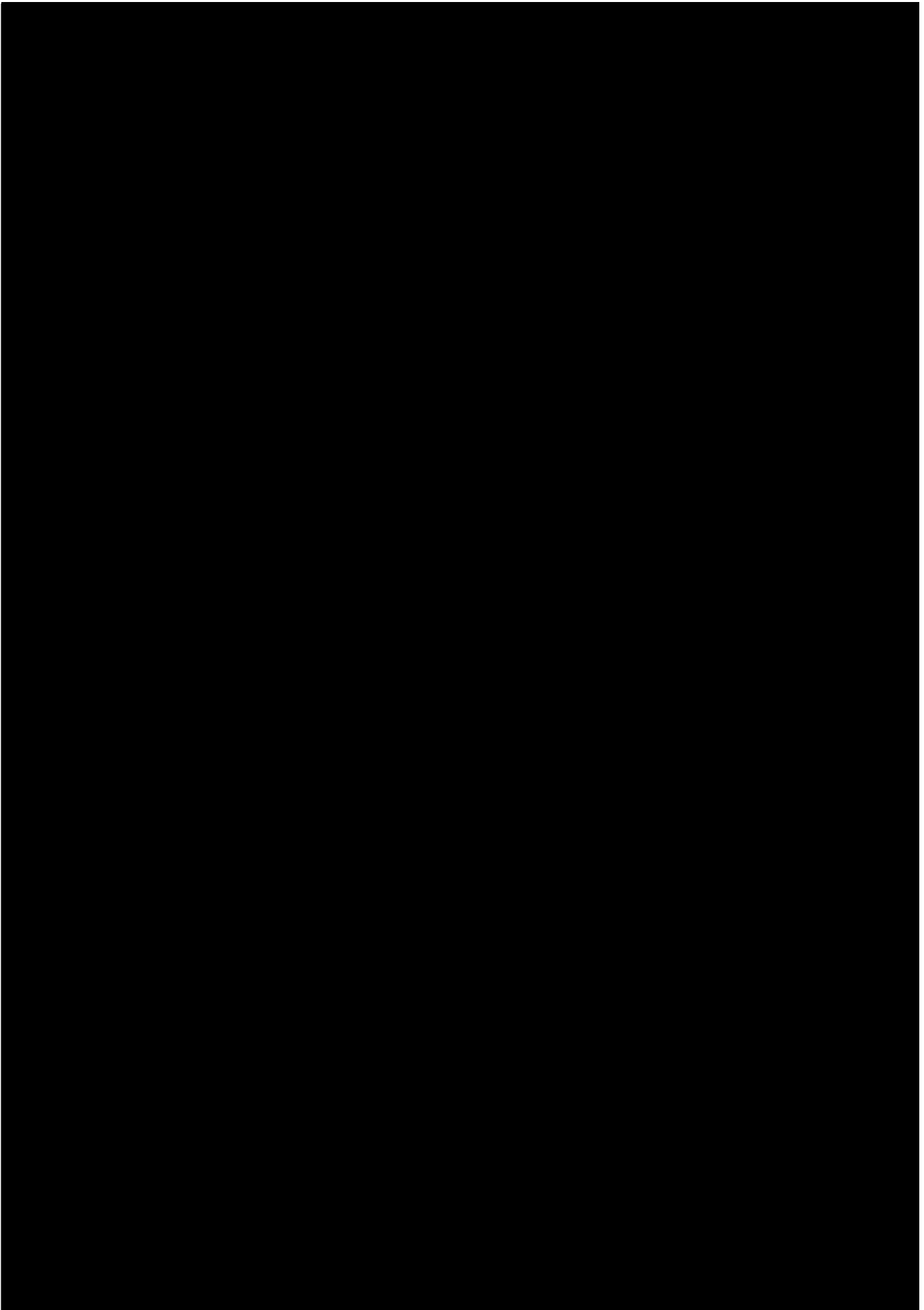


EXHIBIT 71



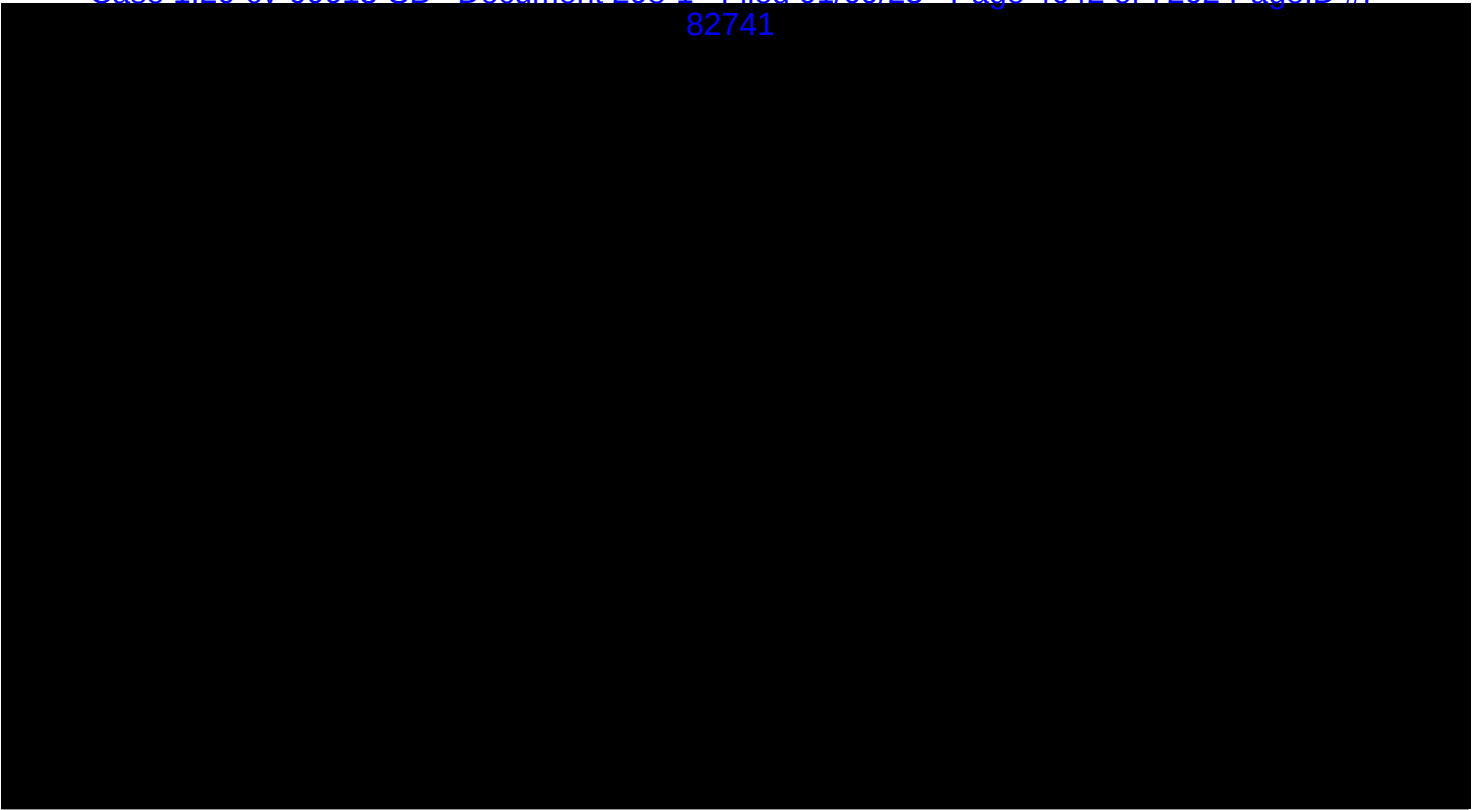


EXHIBIT 72

EXHIBIT 73

EXHIBIT 74

EXHIBIT 75

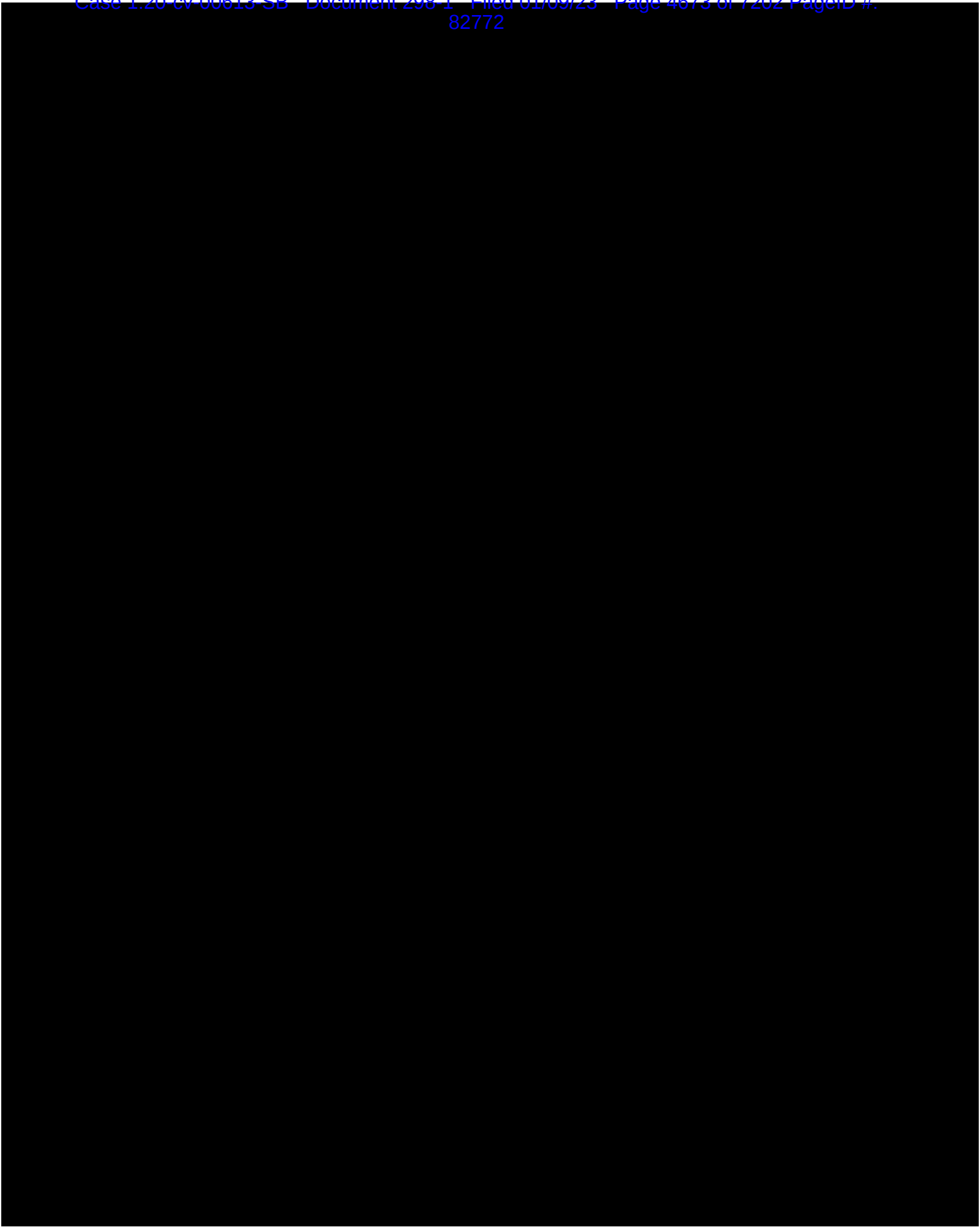


EXHIBIT 76

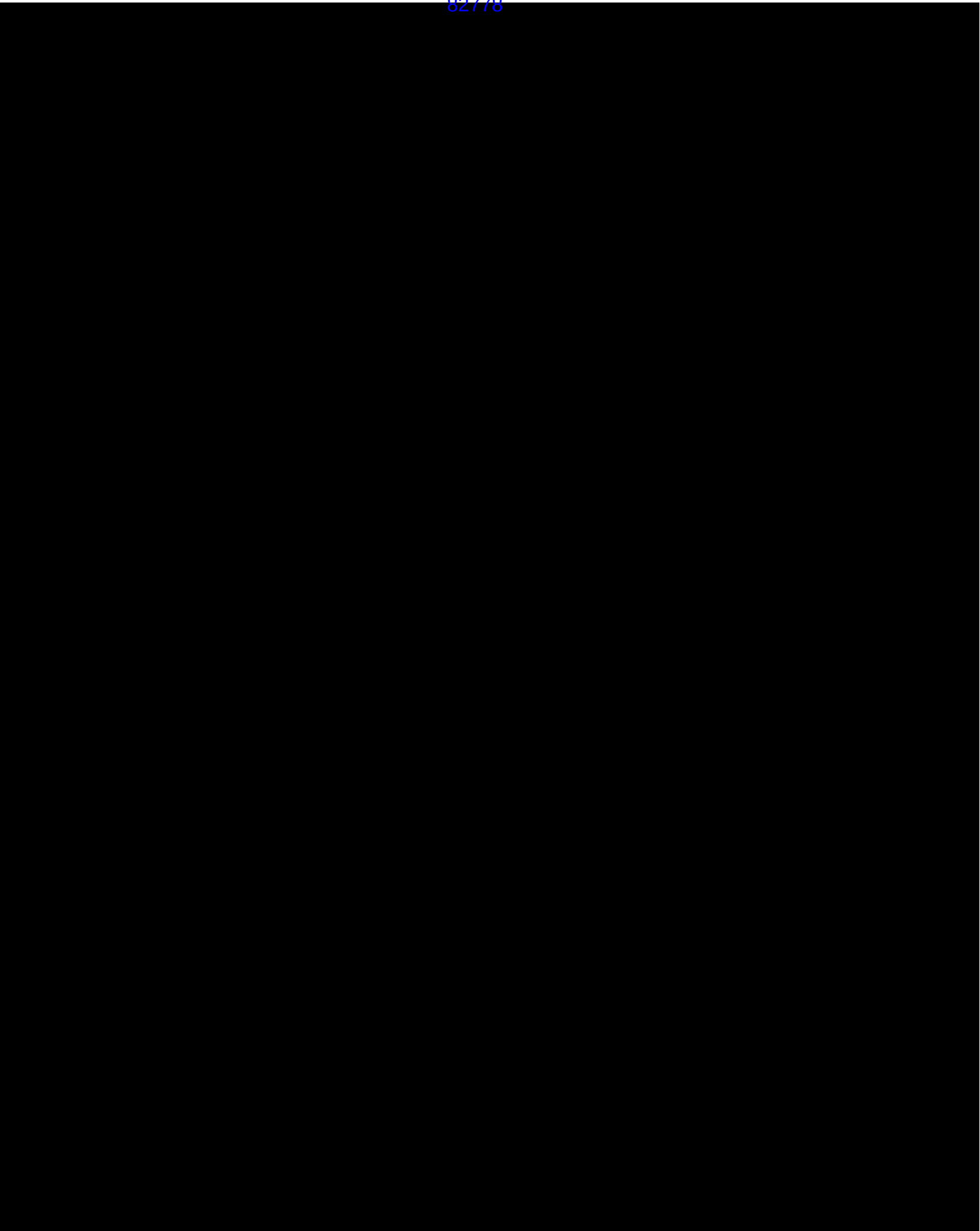


EXHIBIT 77

EXHIBIT 78

EXHIBIT 79

EXHIBIT 80

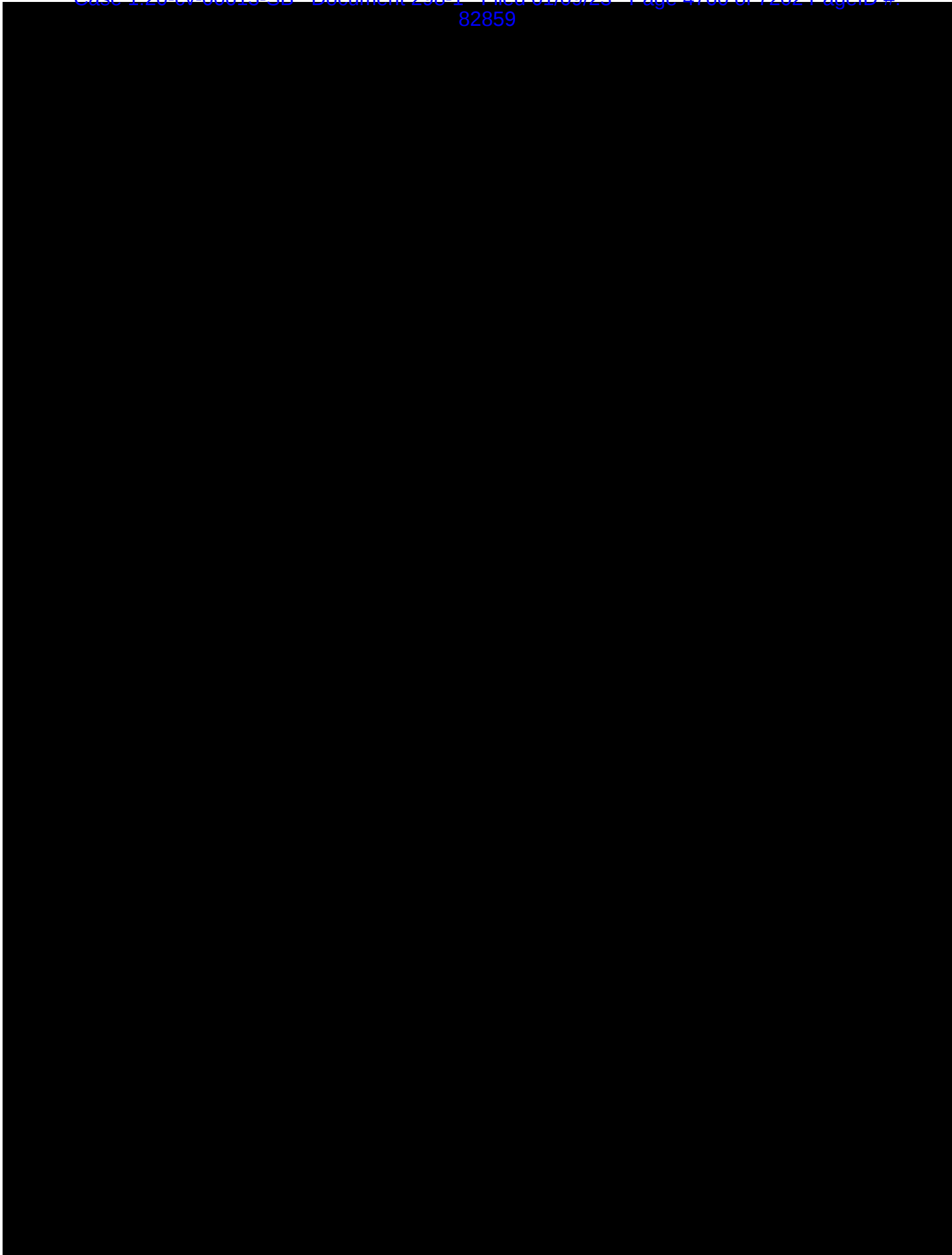
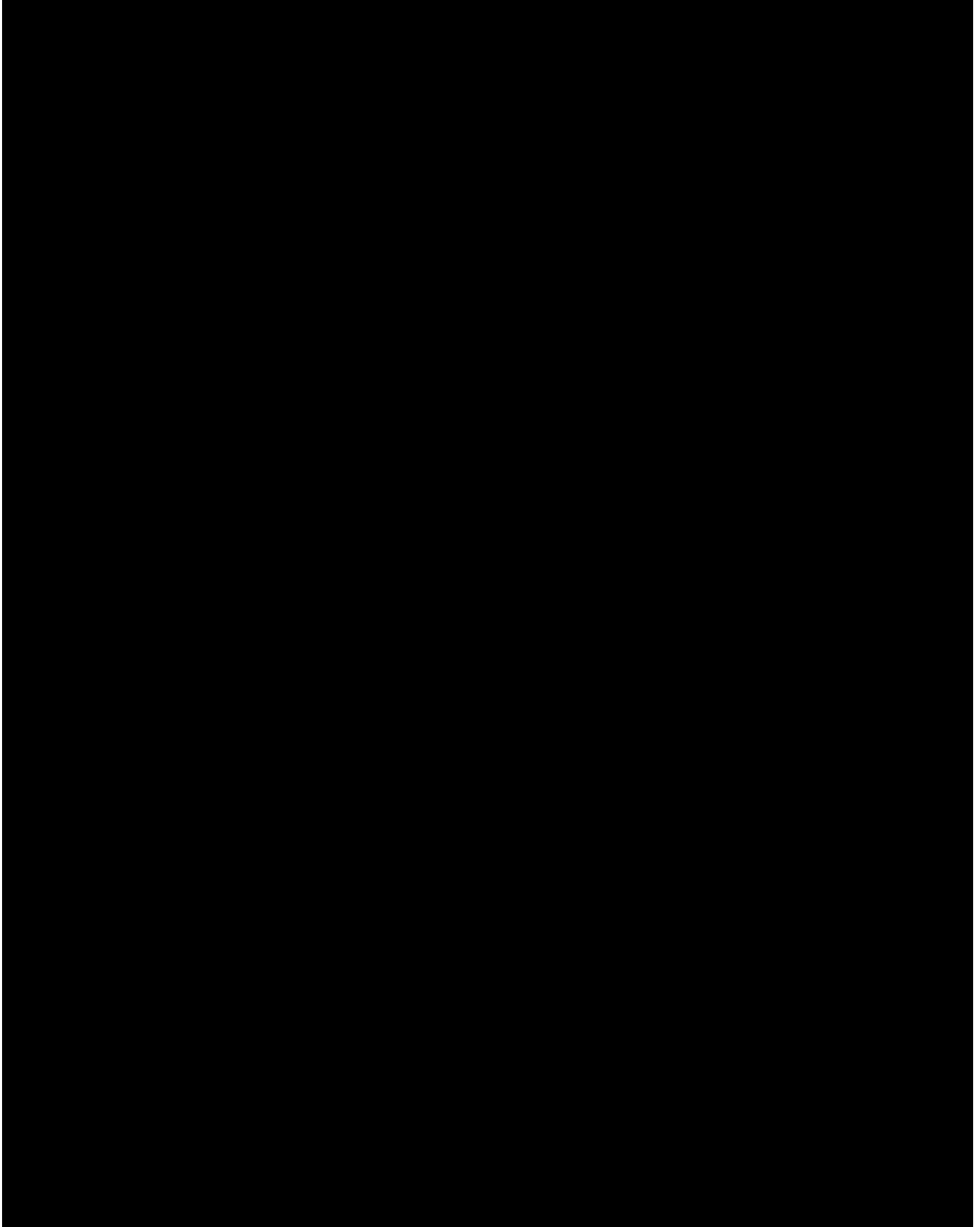
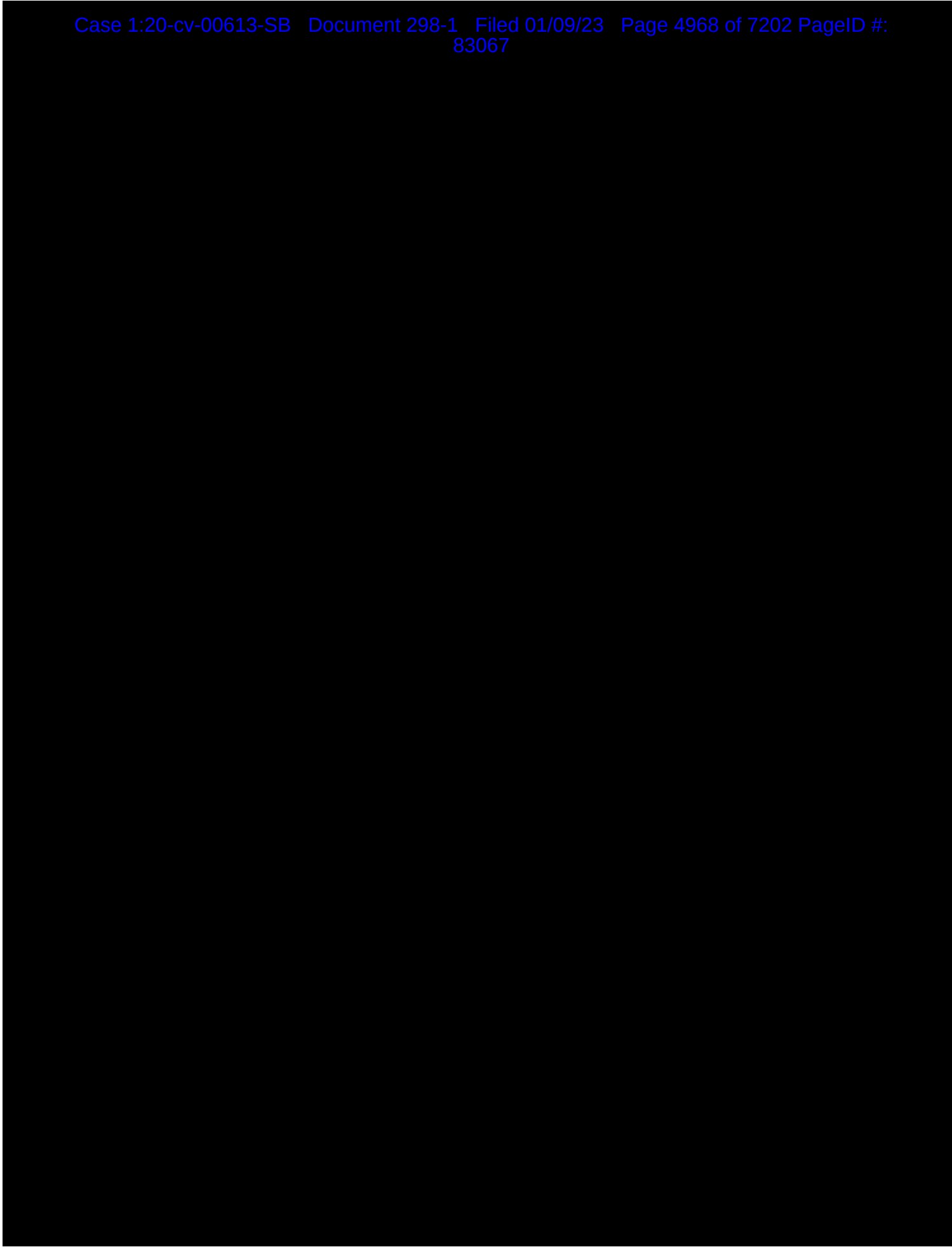
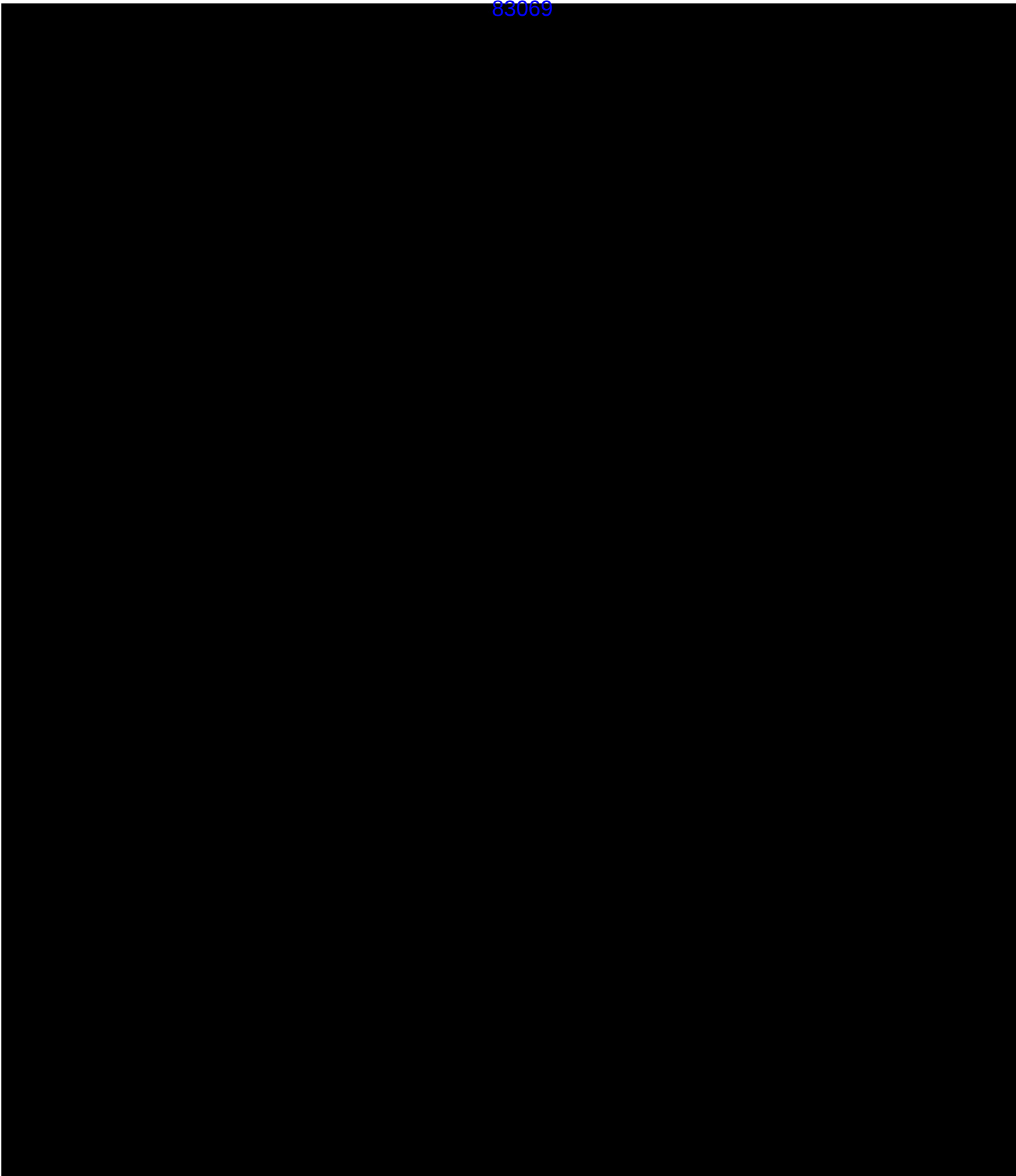
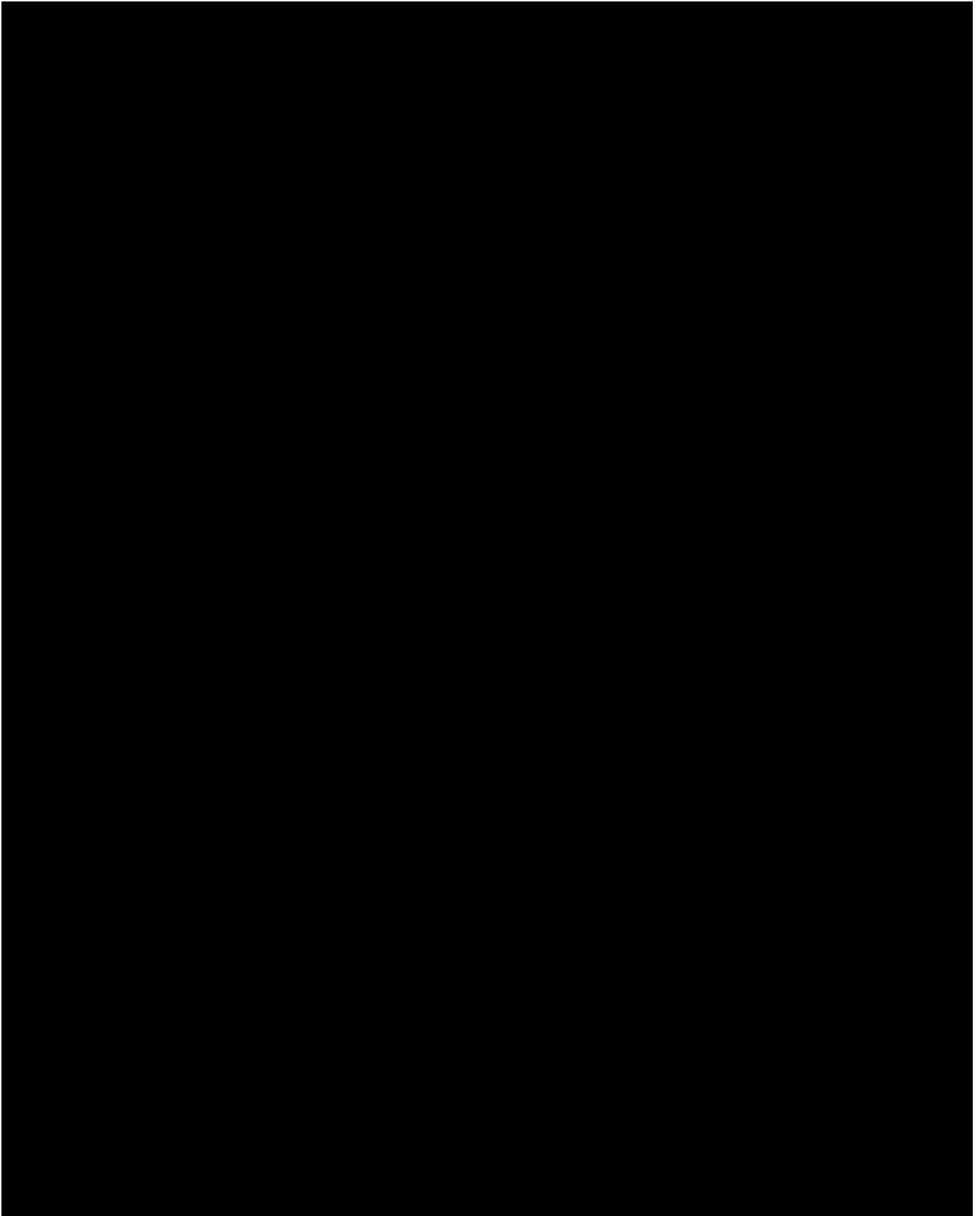


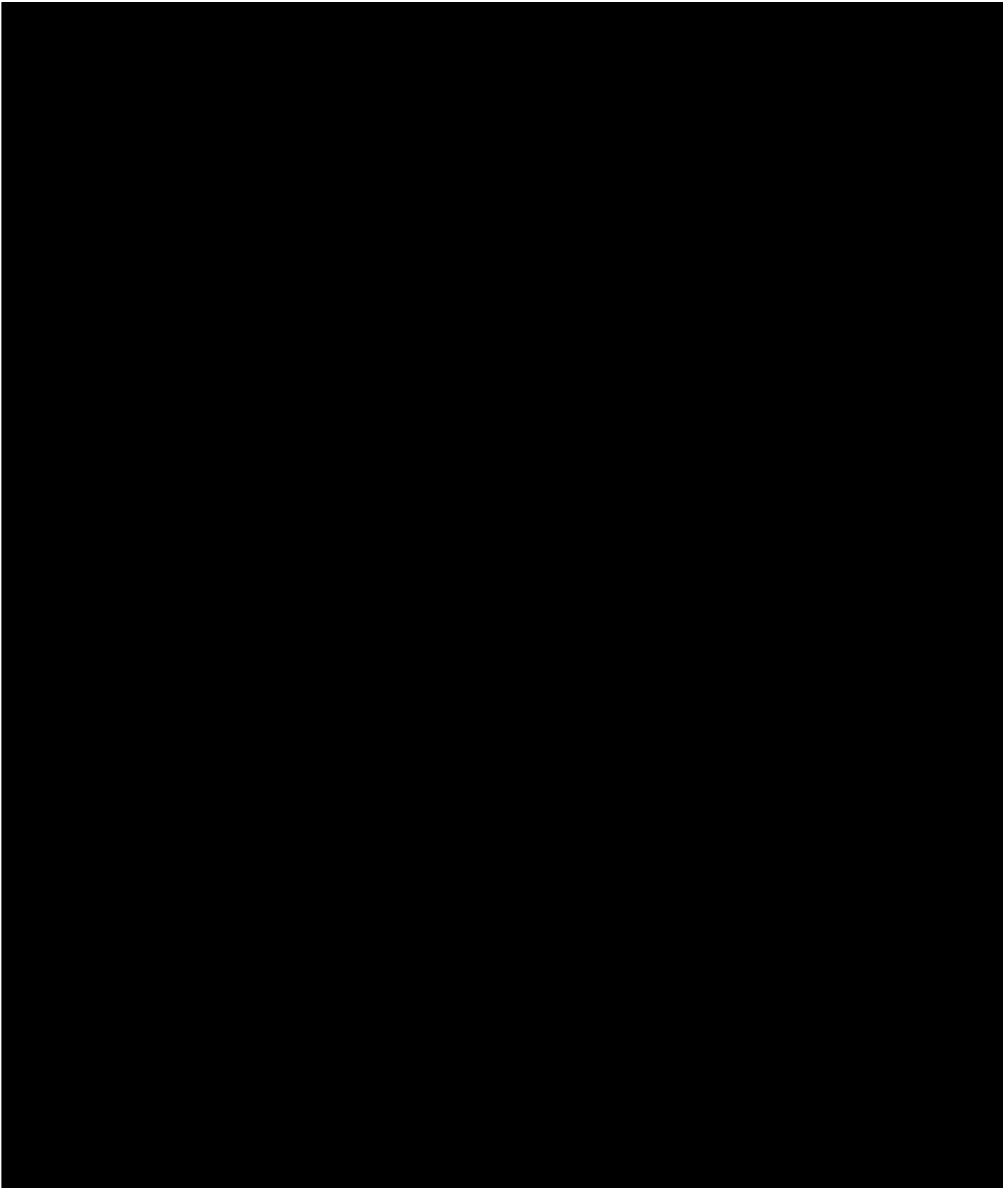
EXHIBIT 81

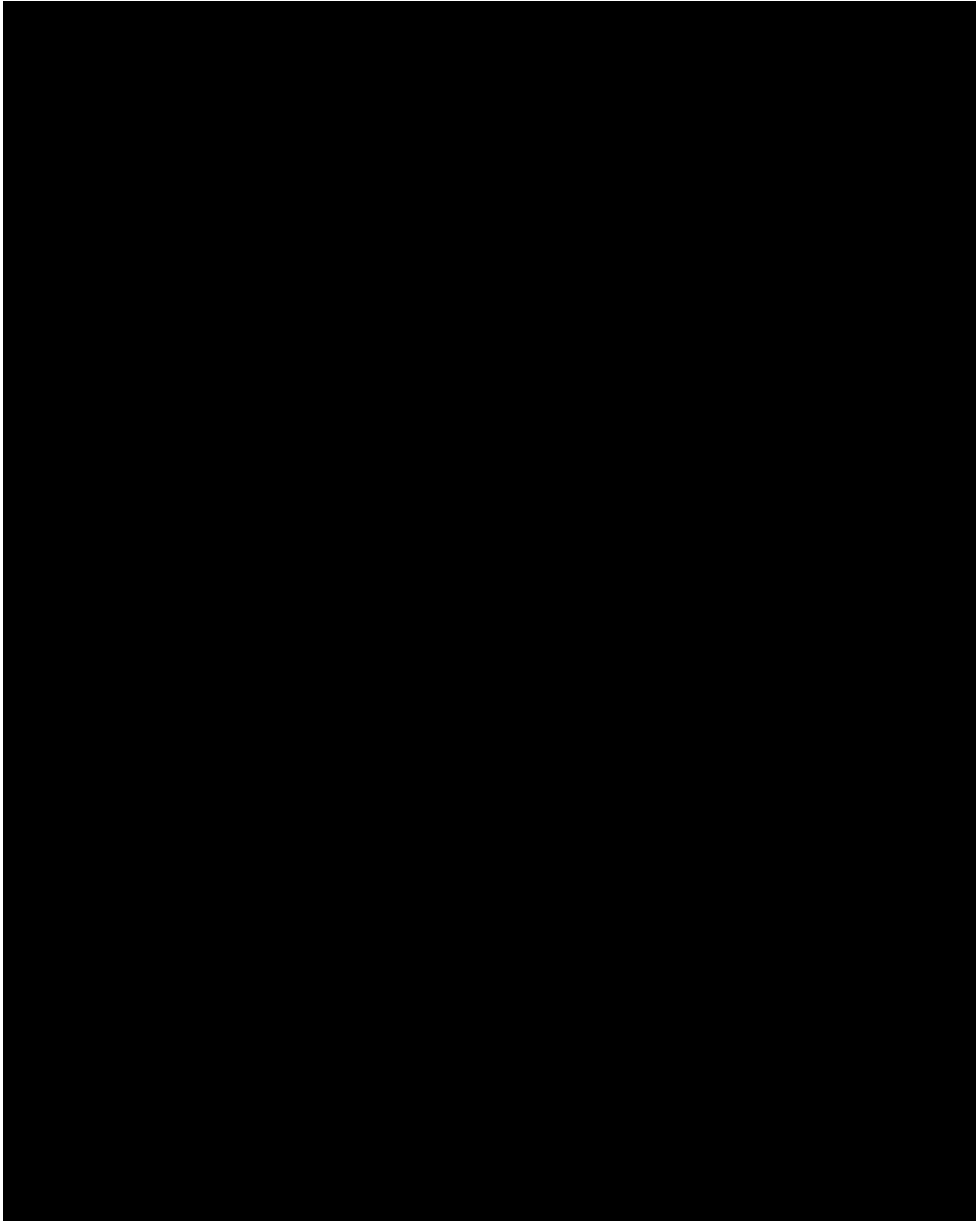


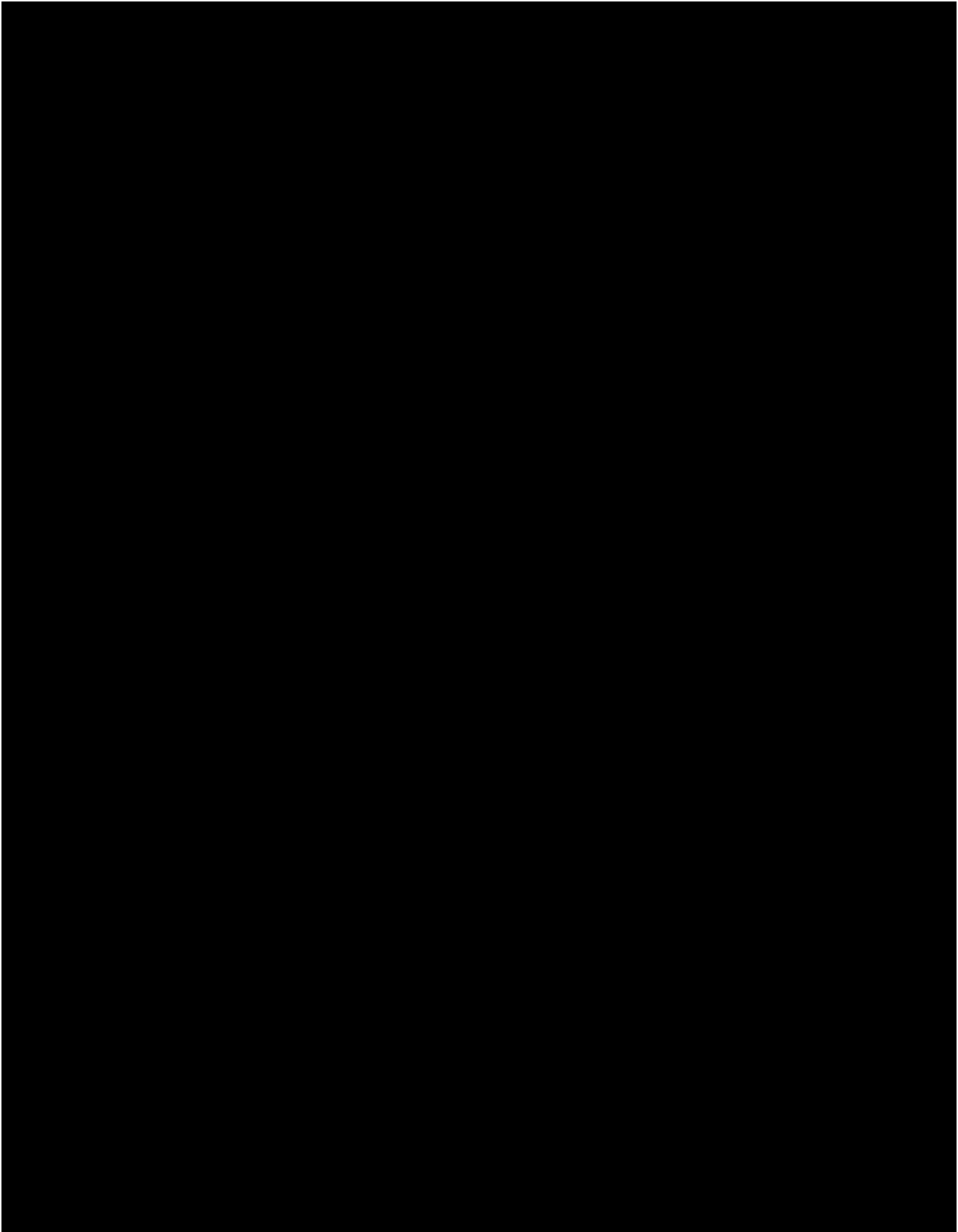


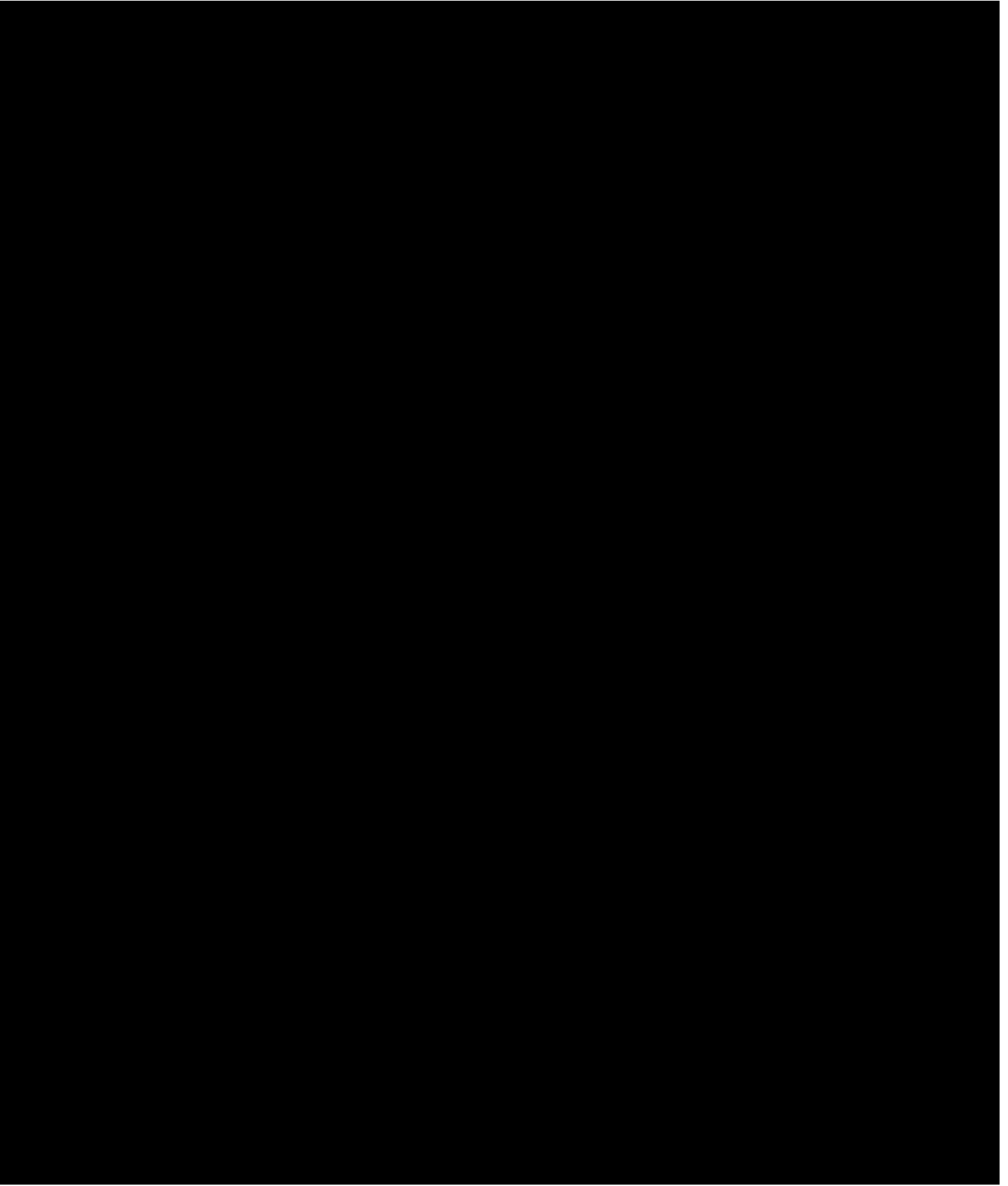


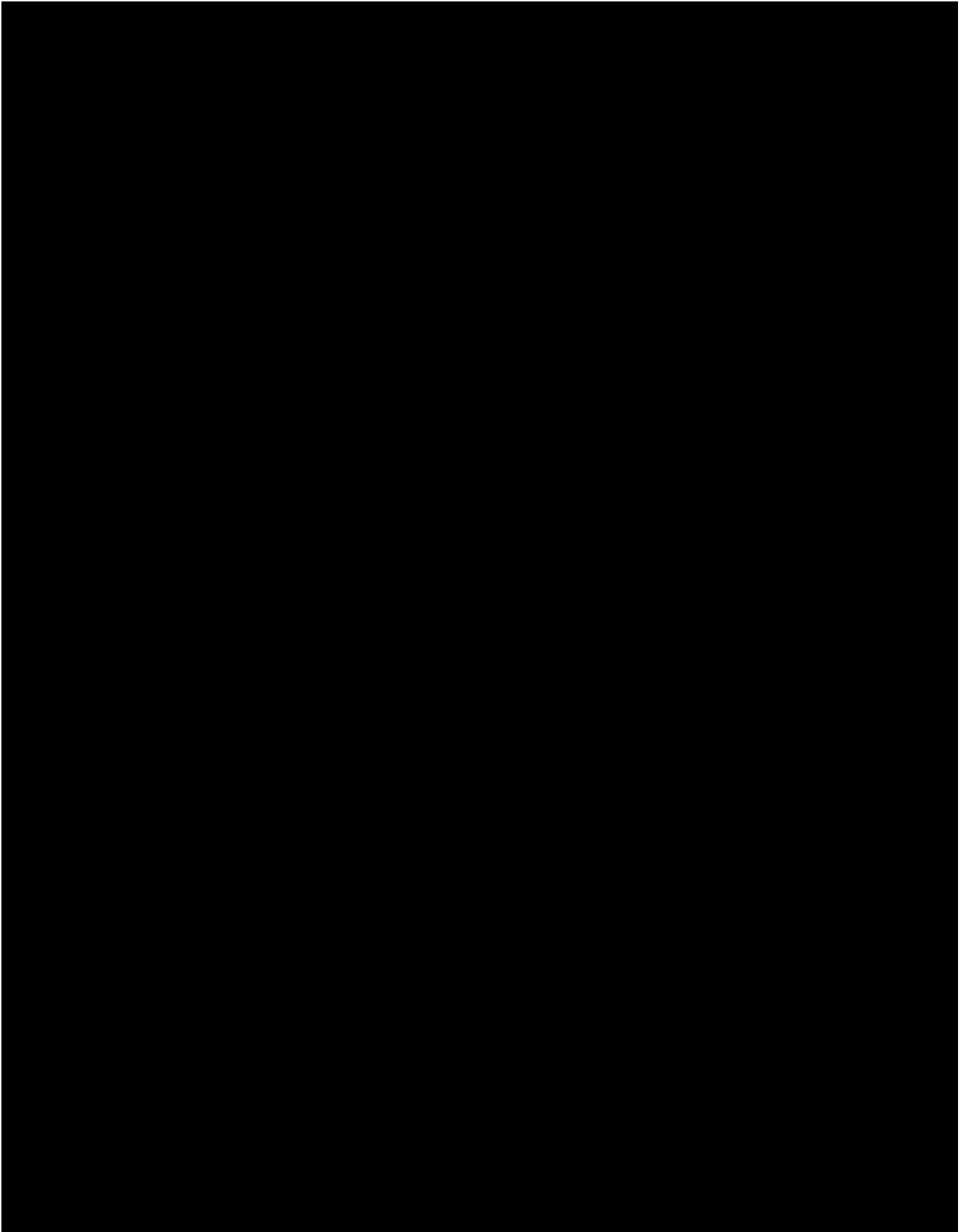


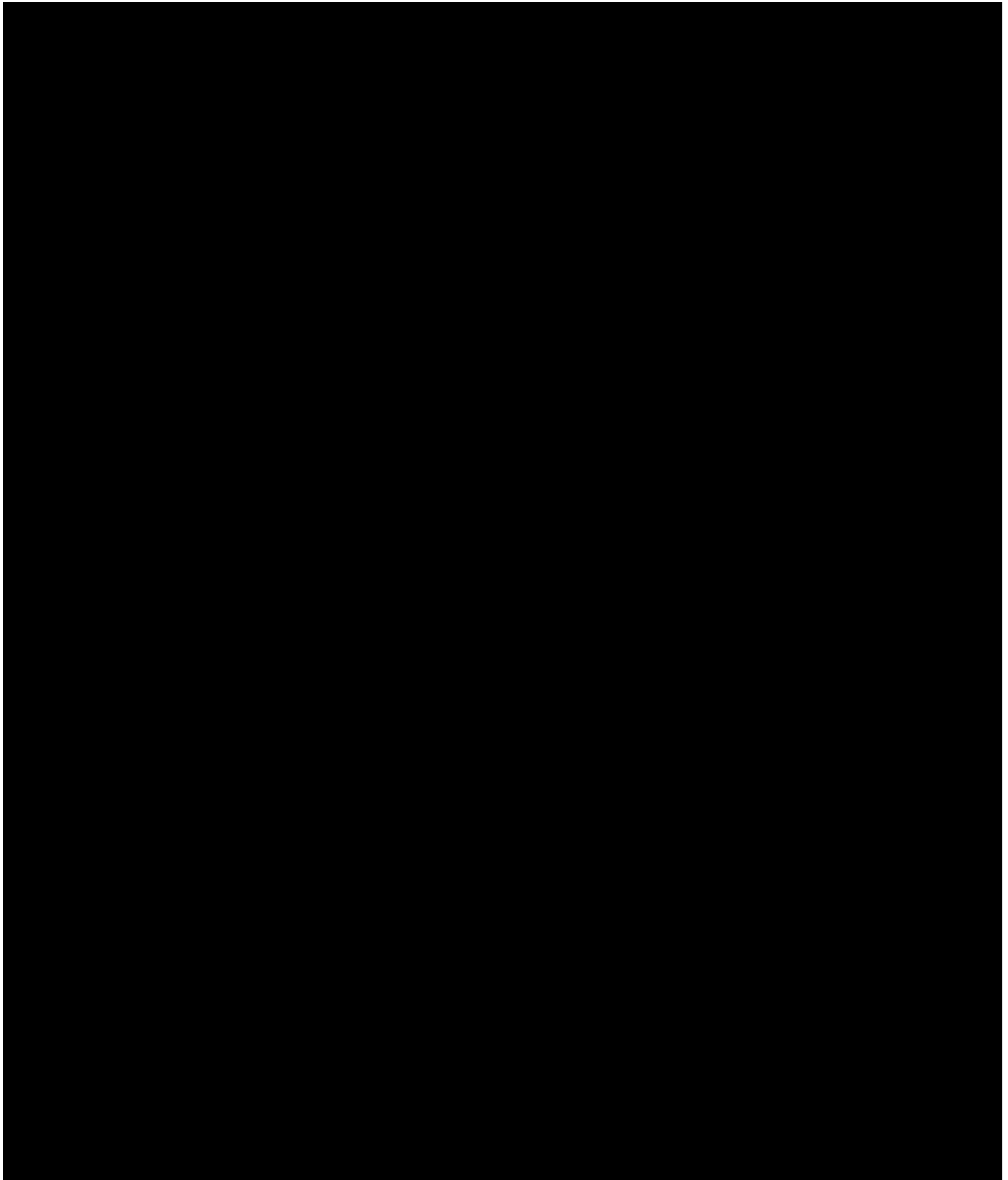


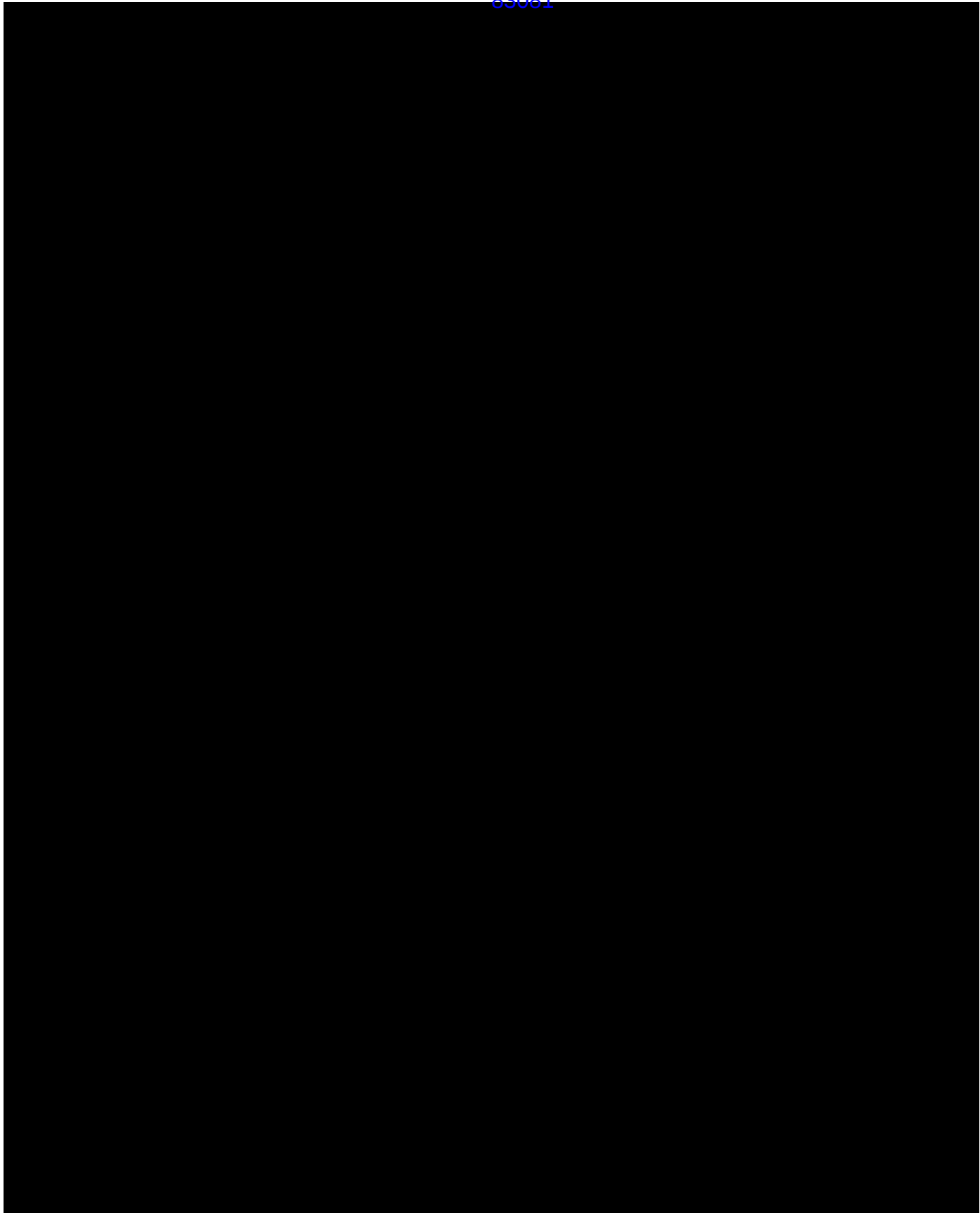


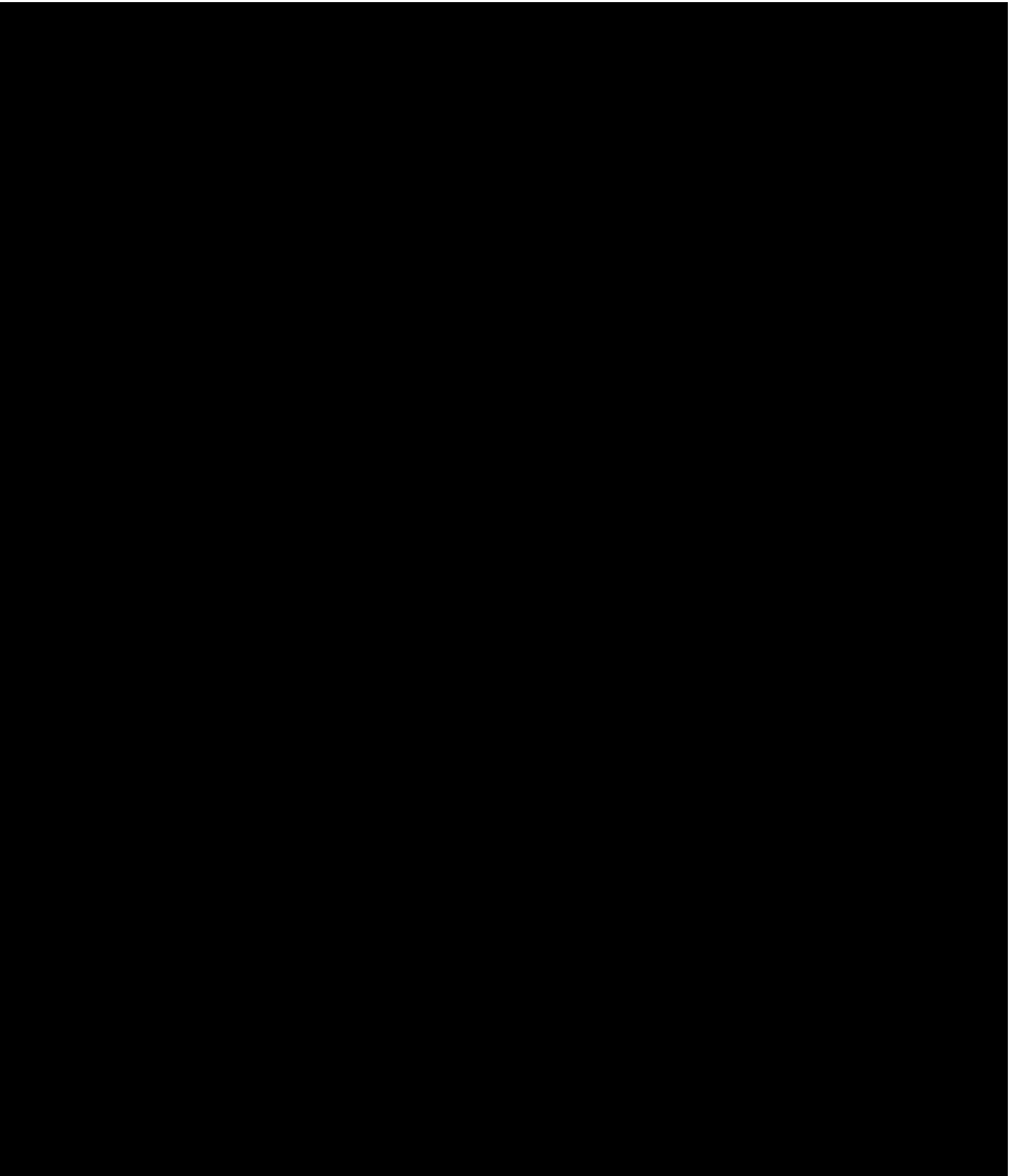


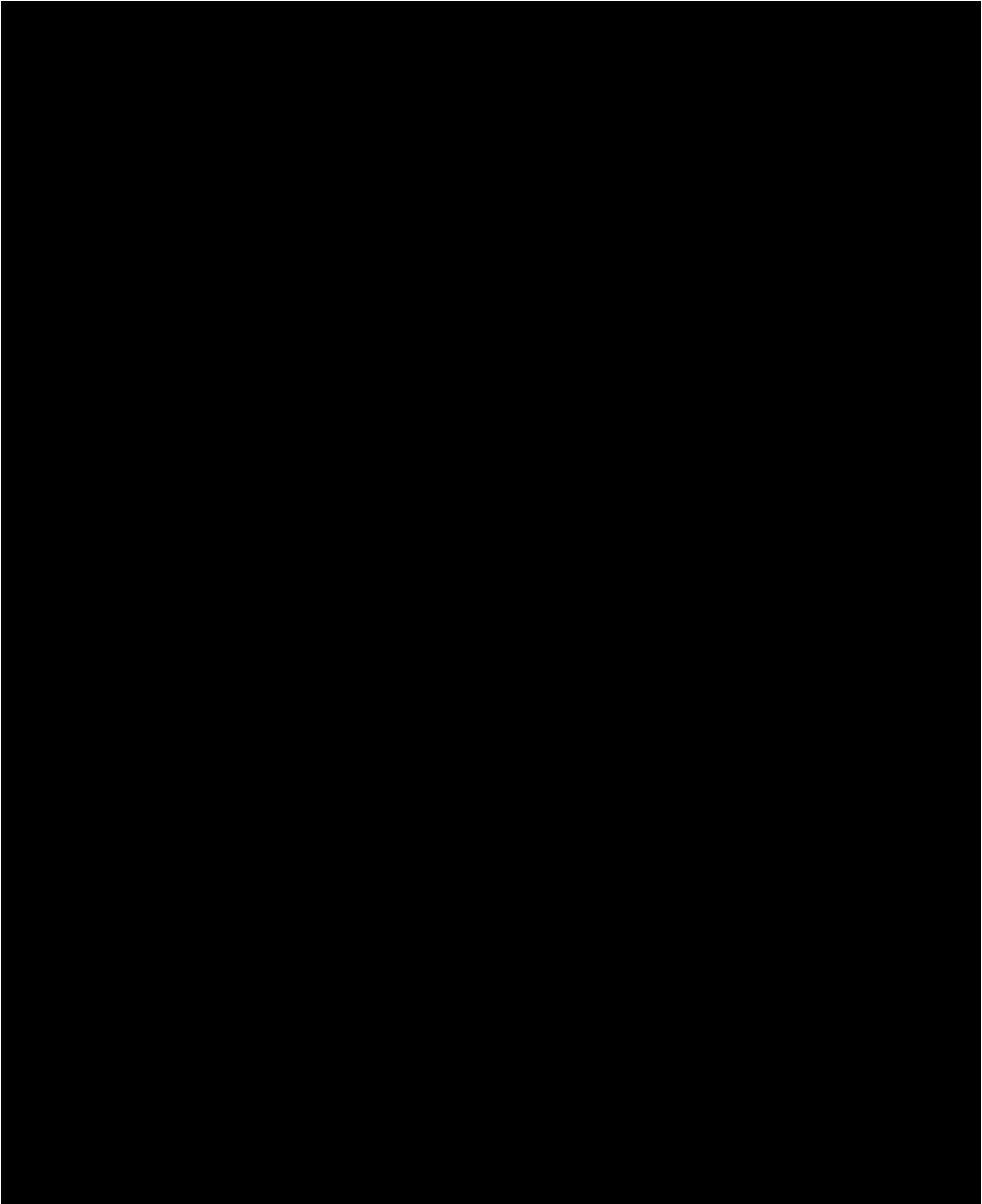




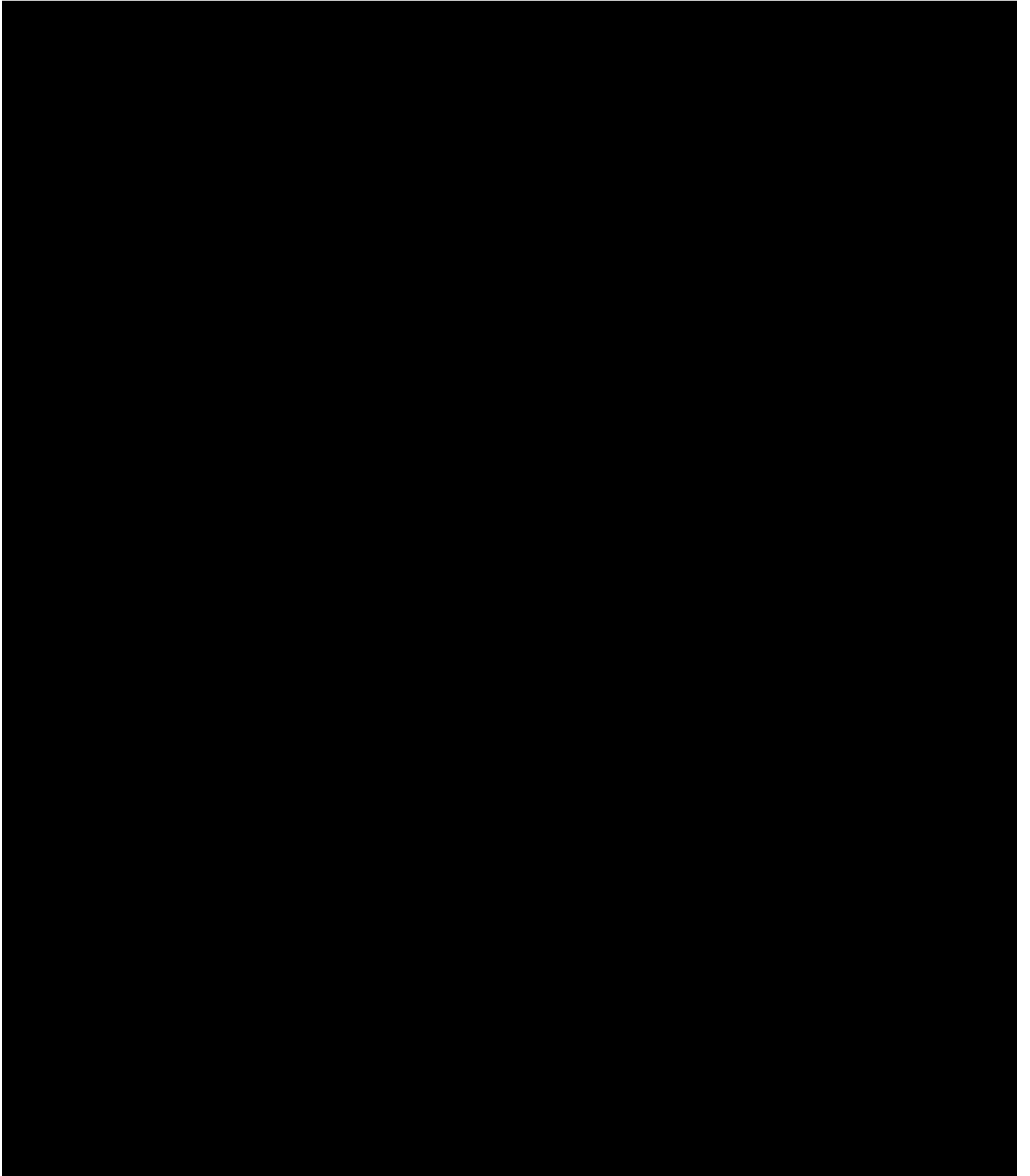


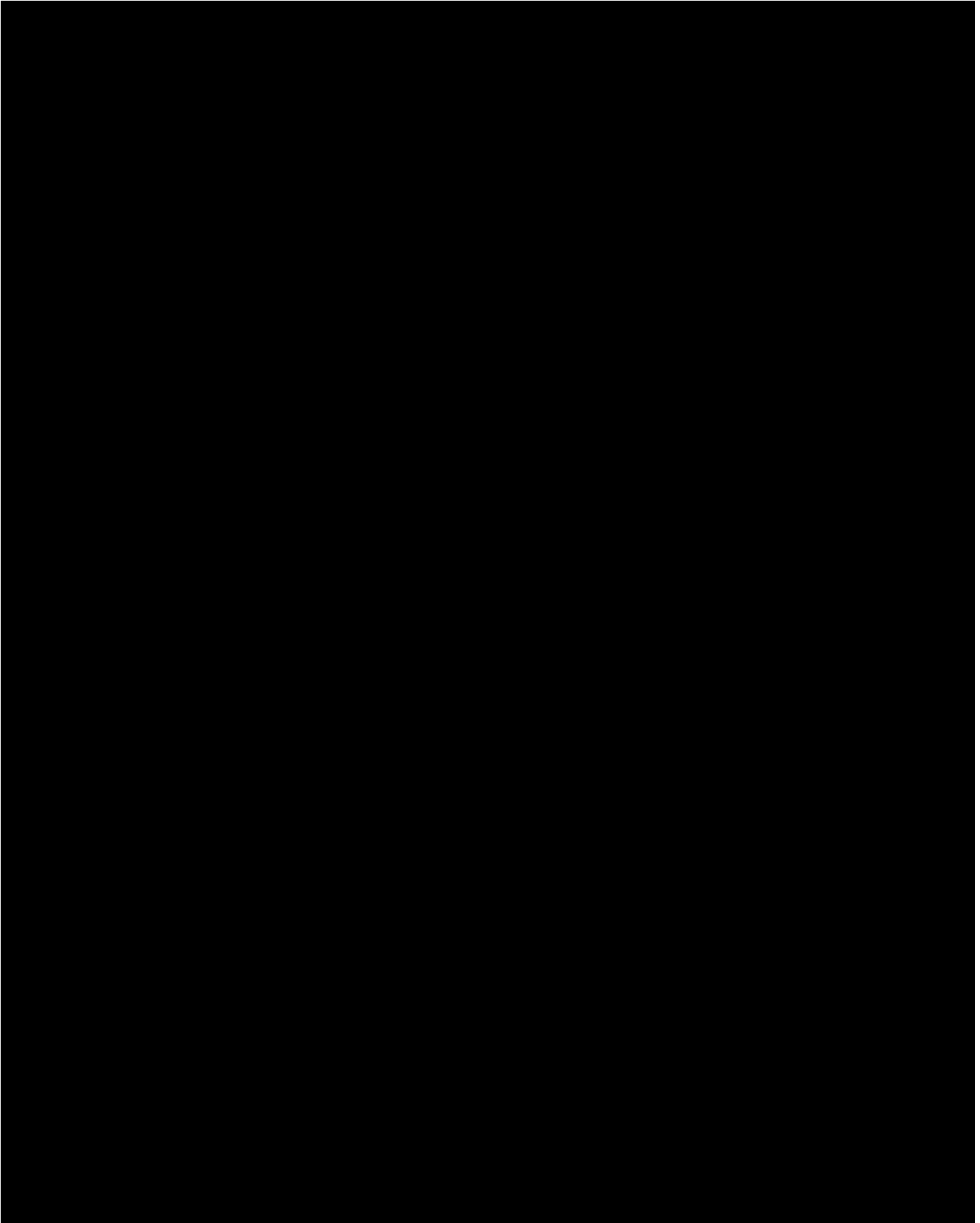


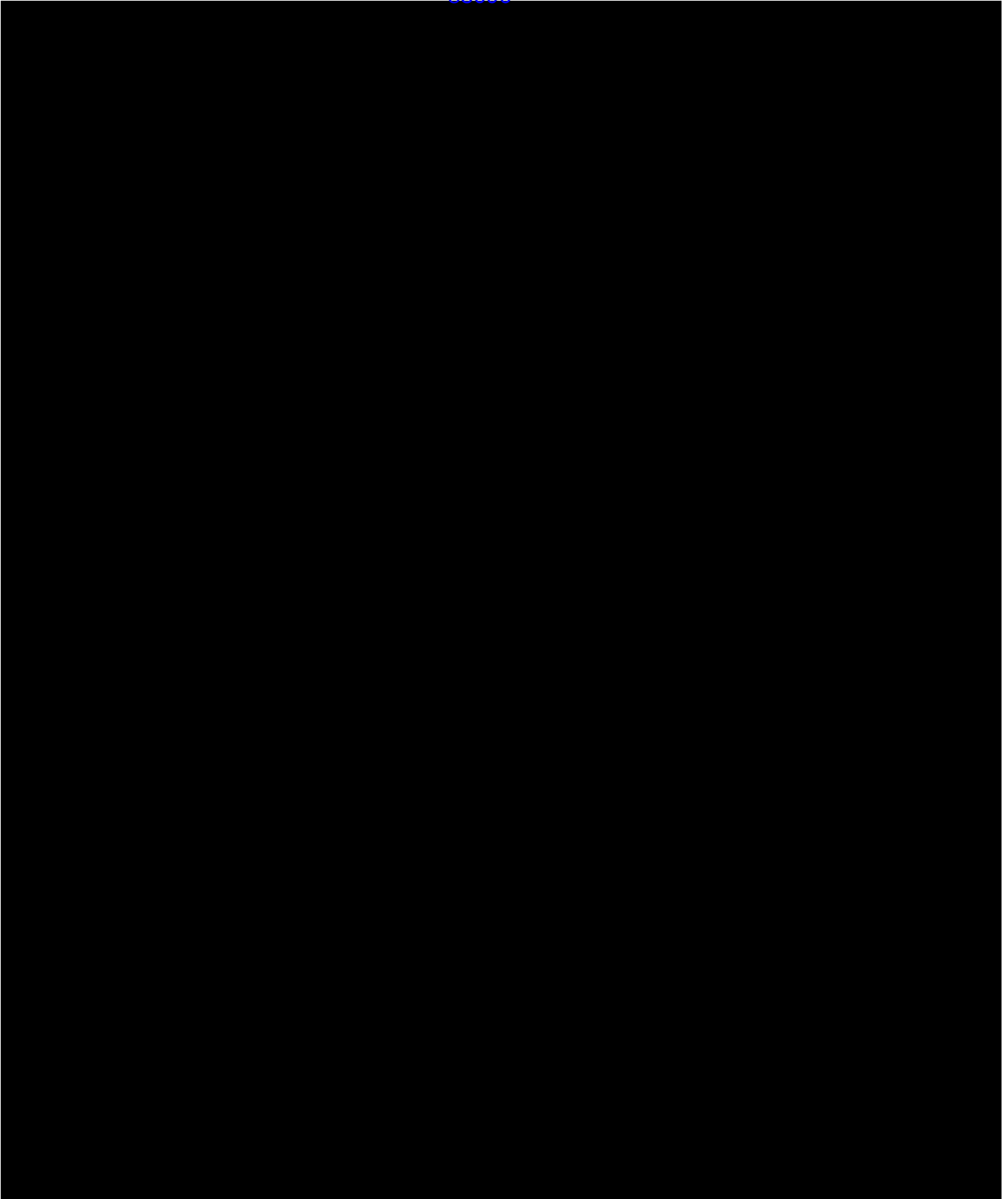


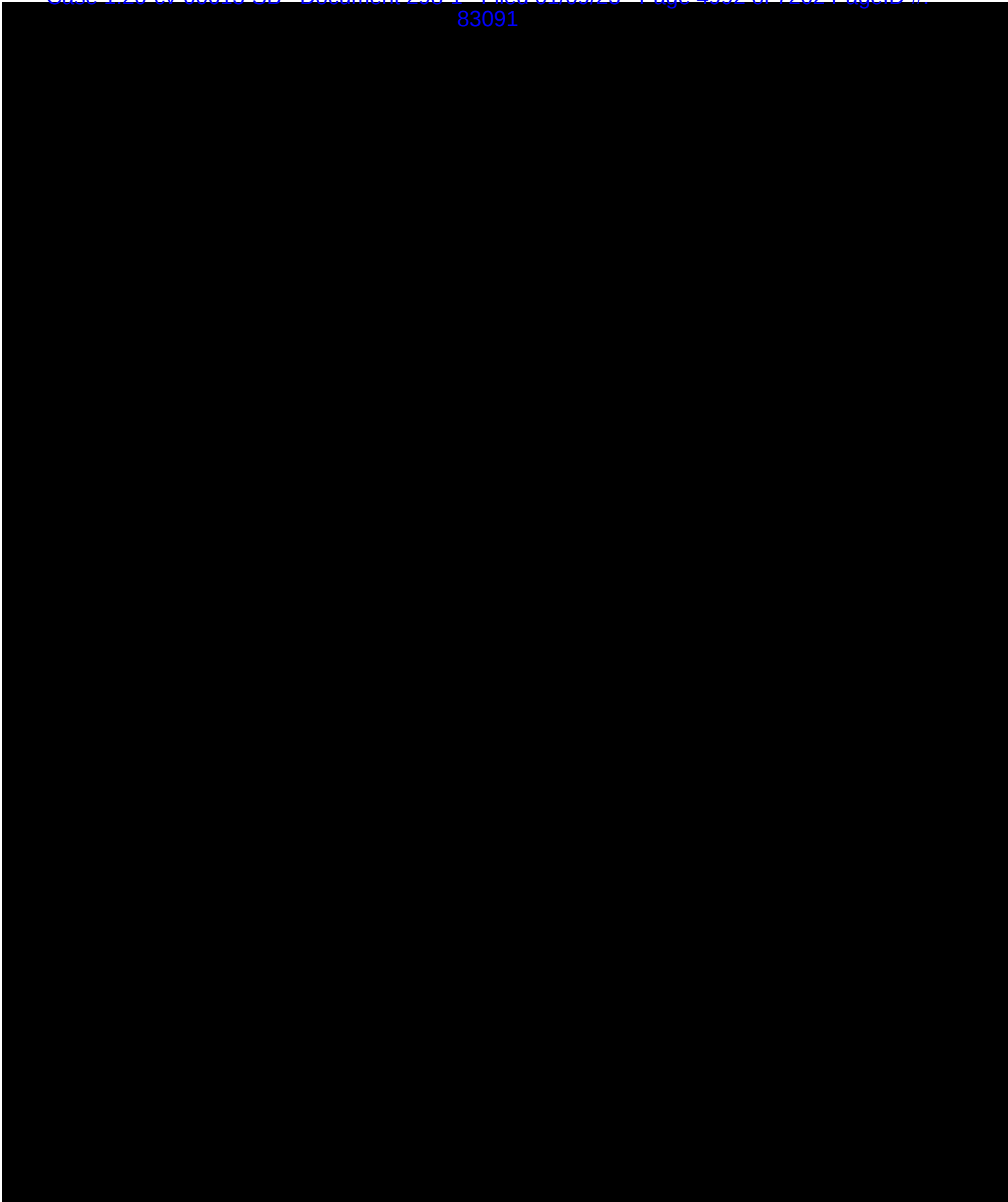


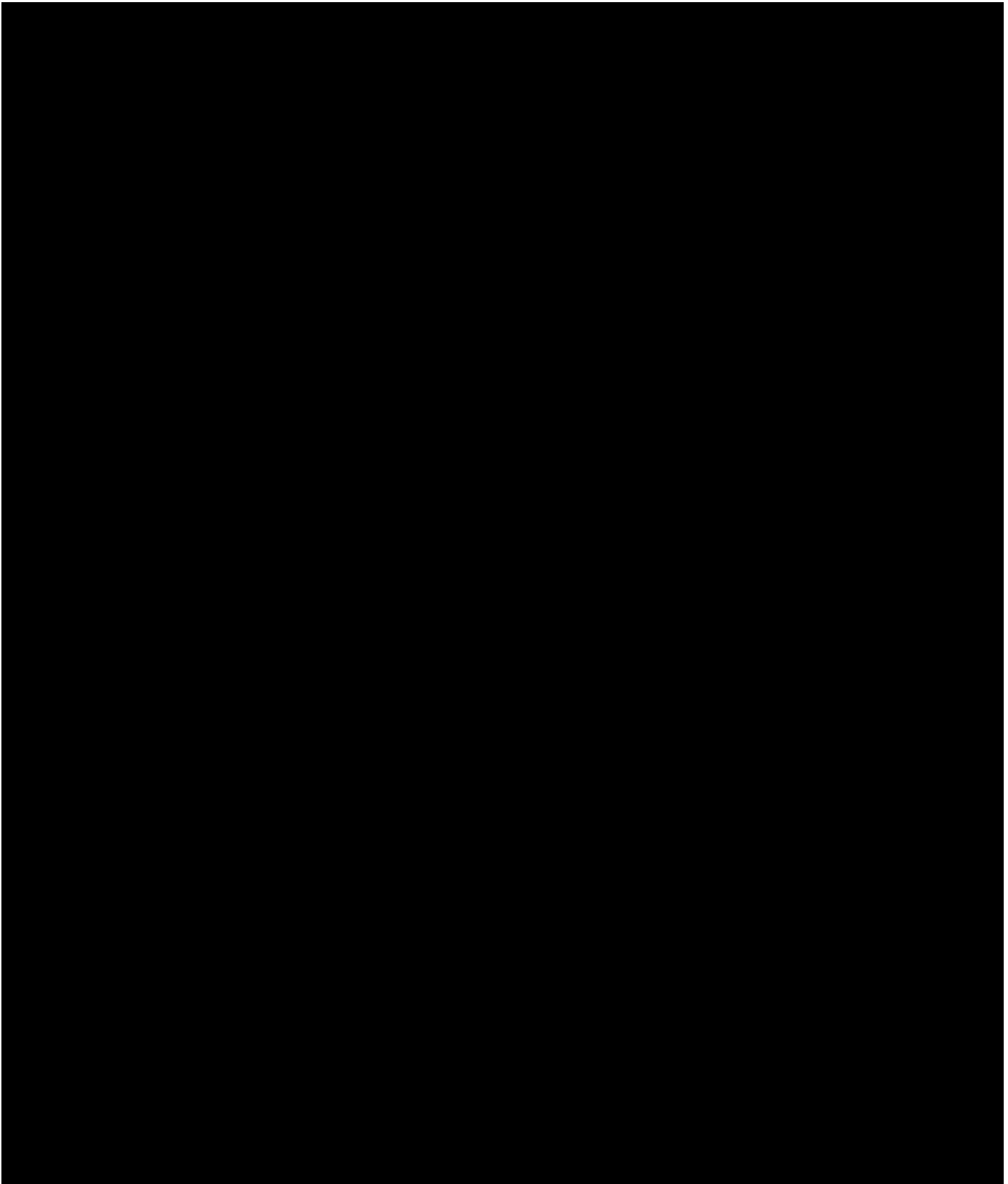


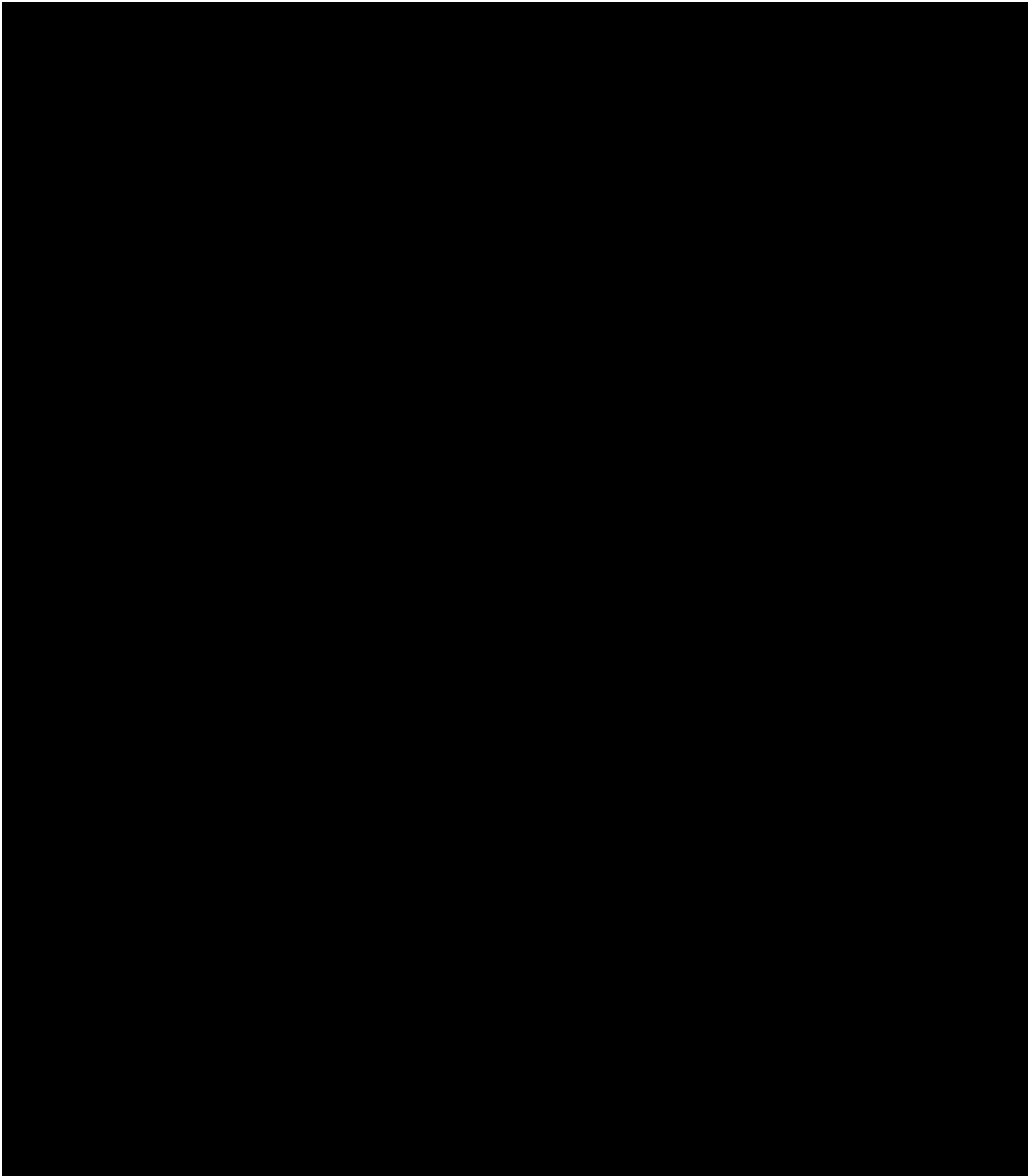


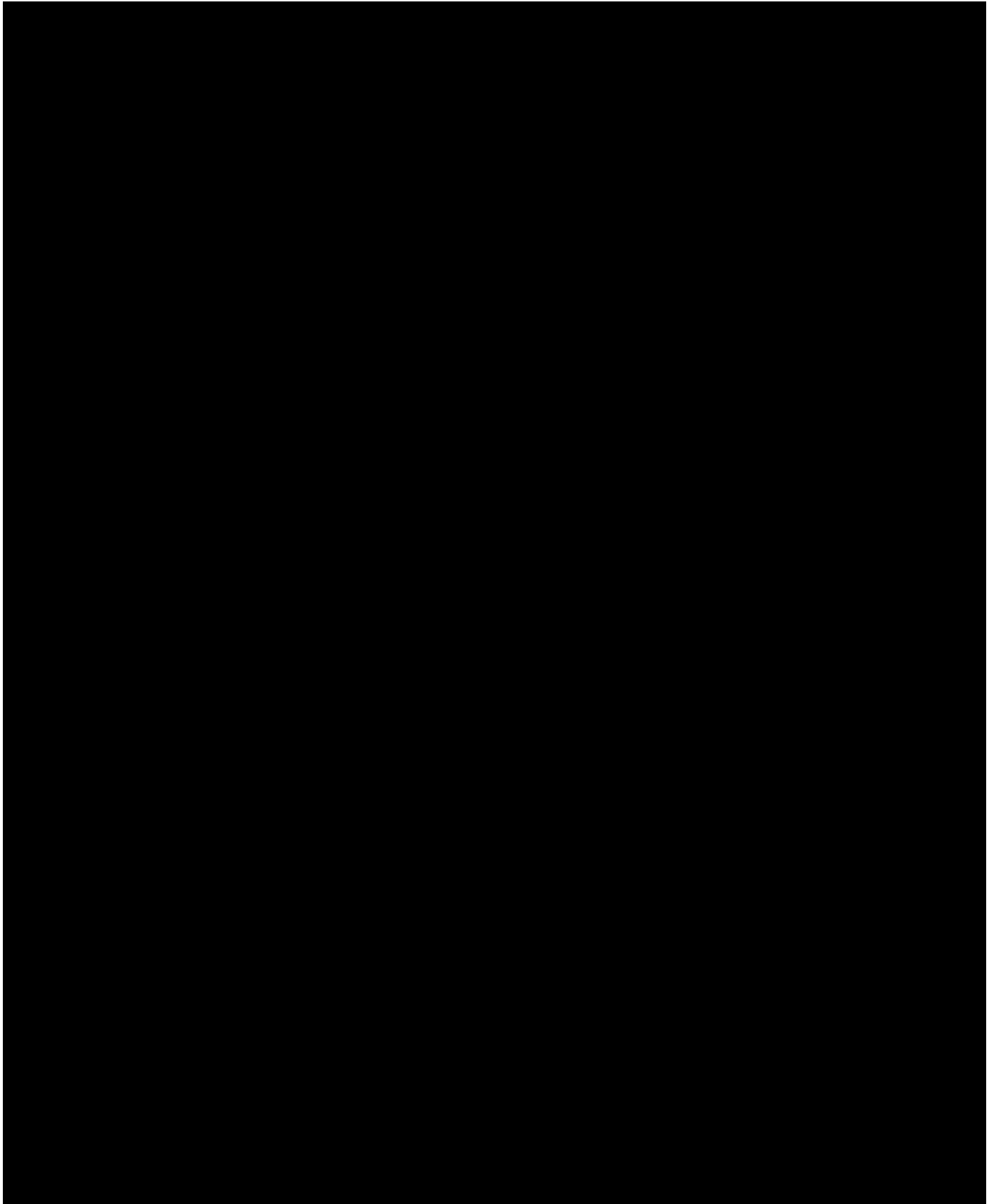


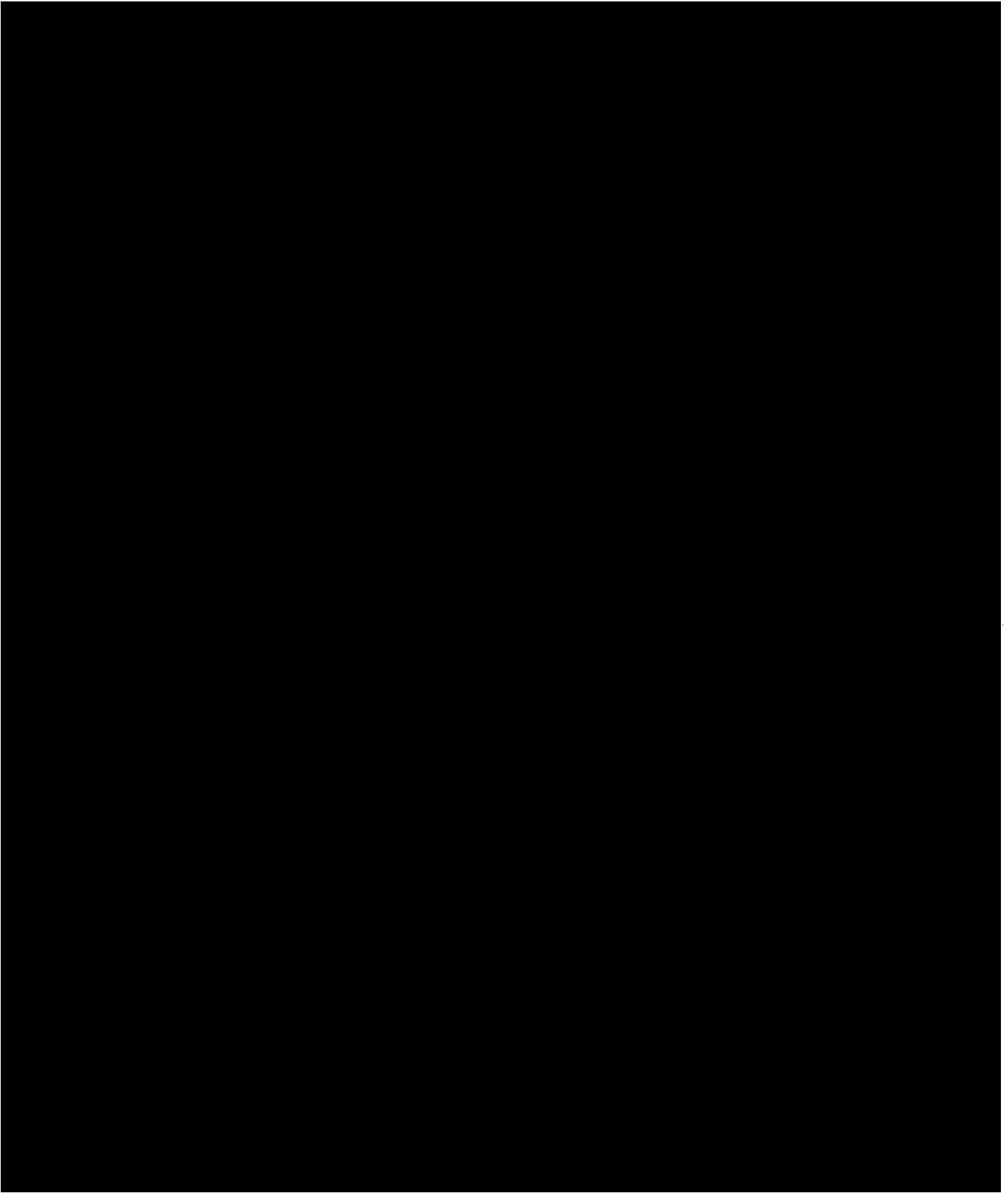


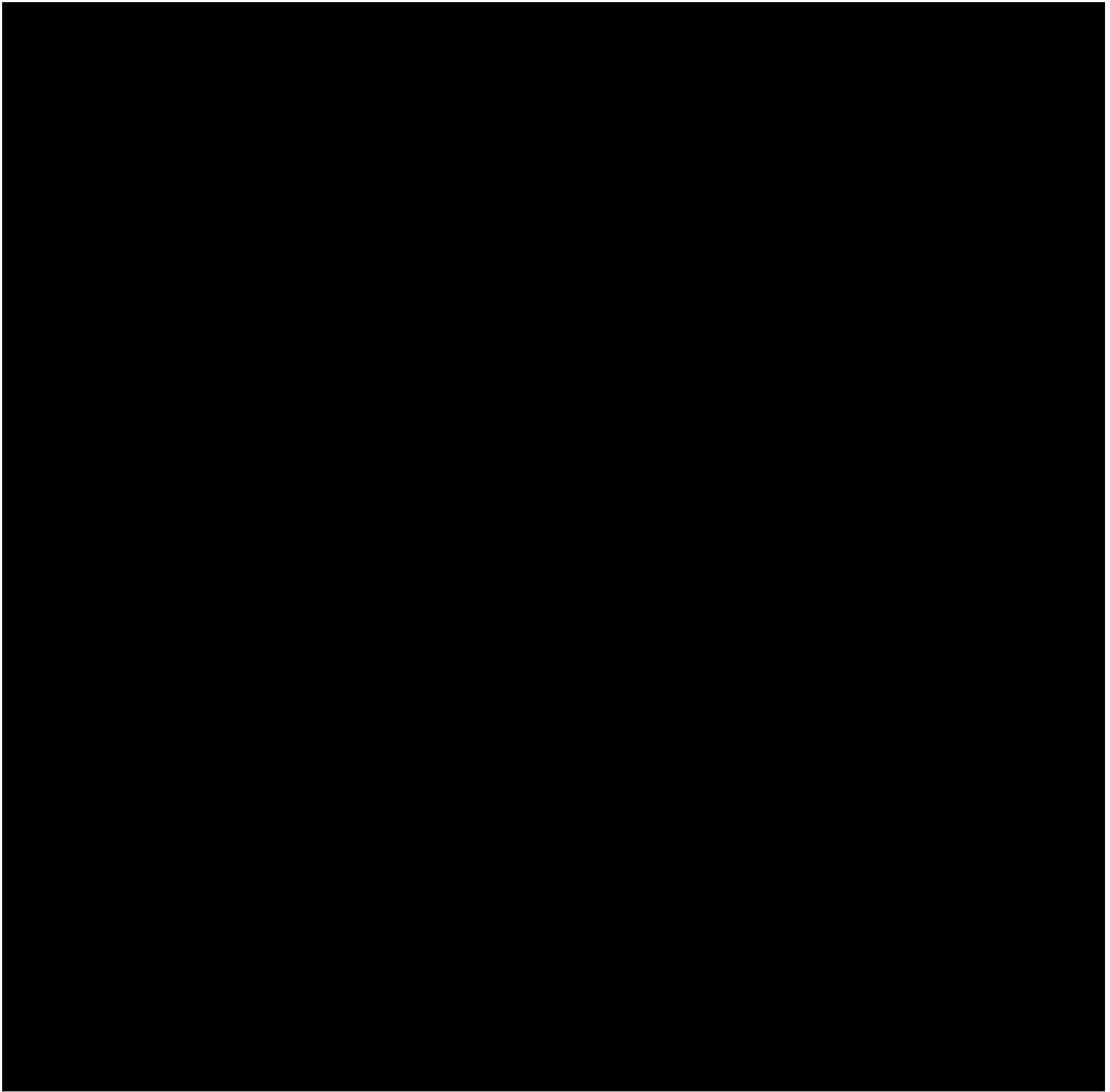


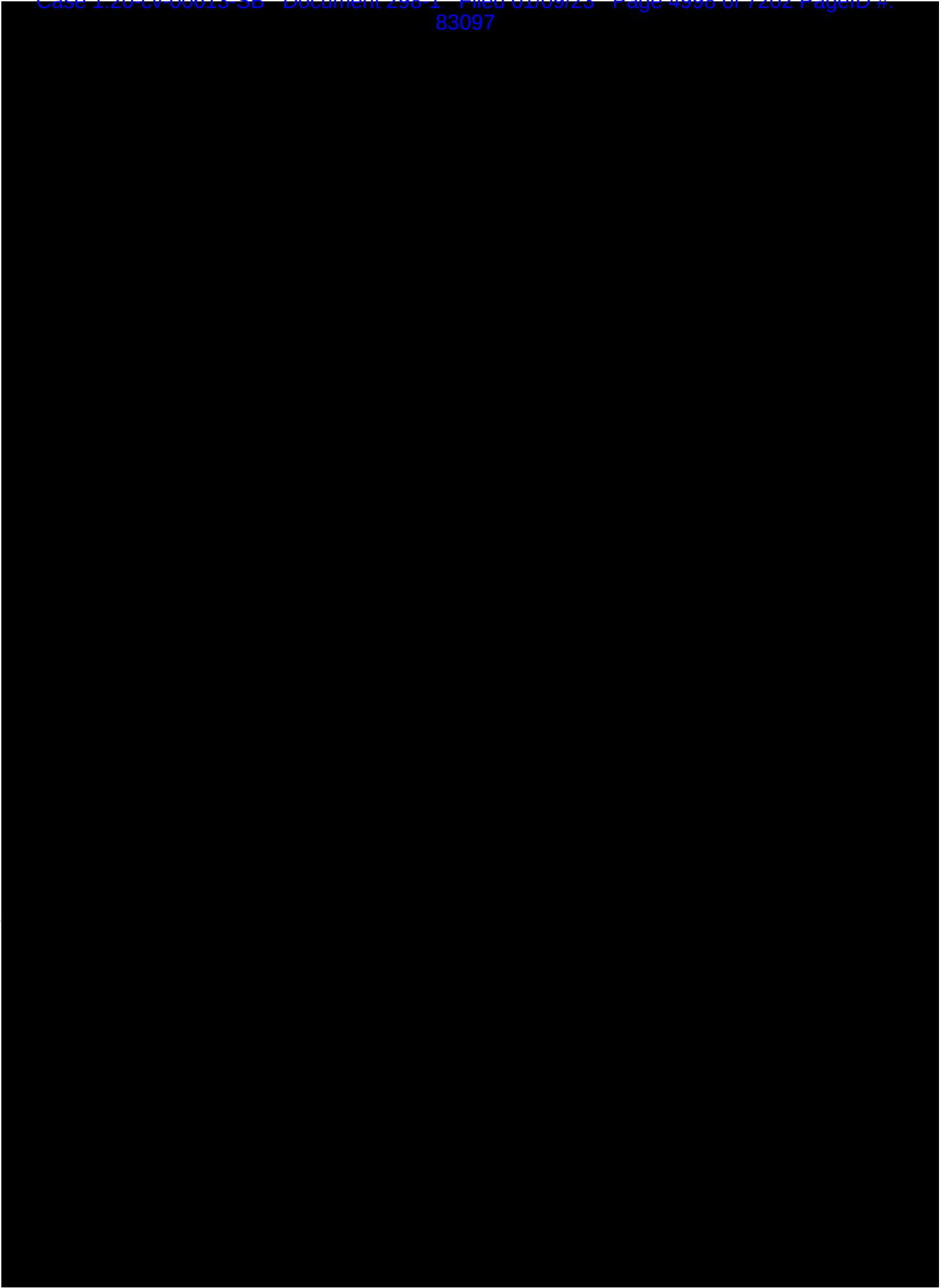


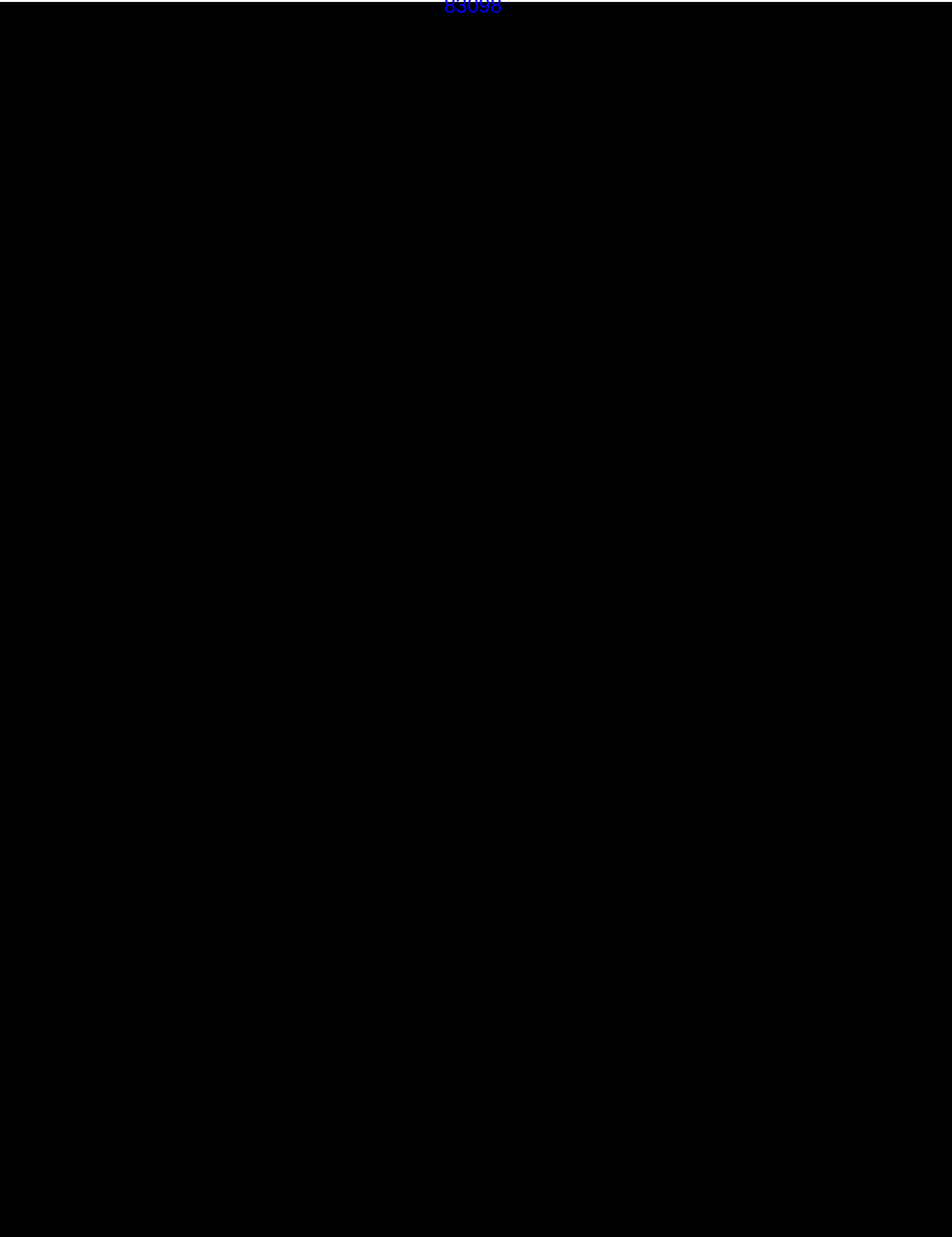


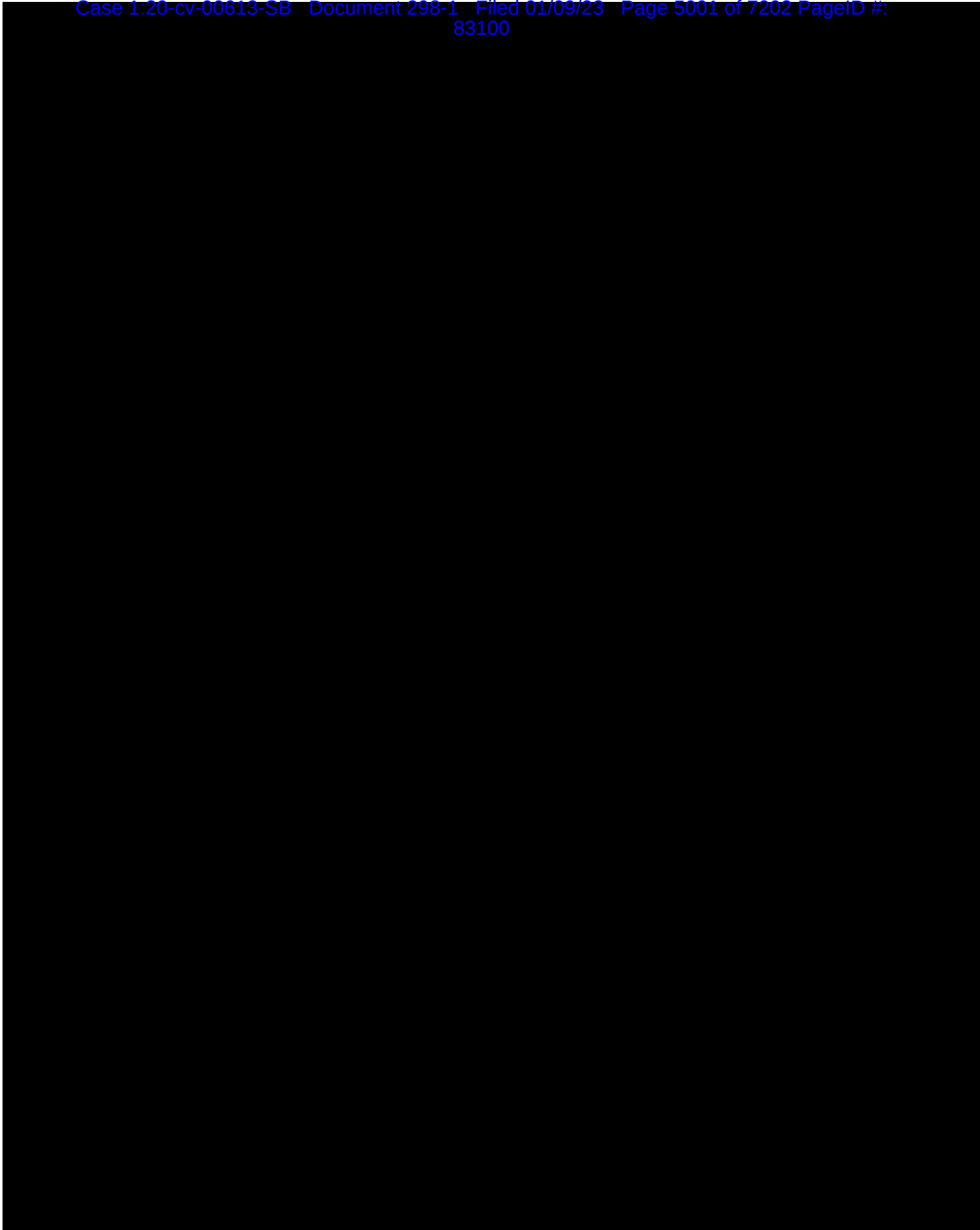


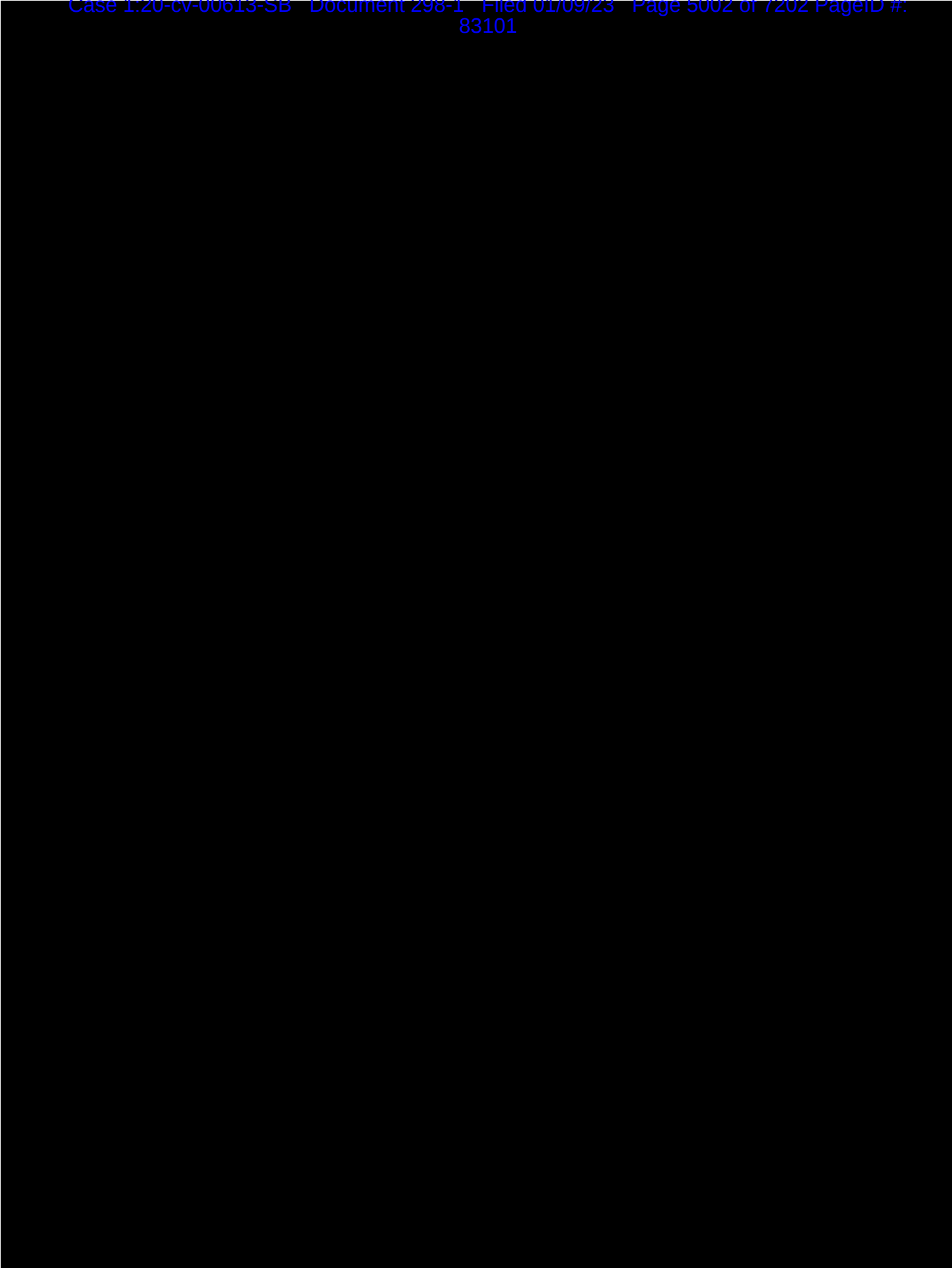


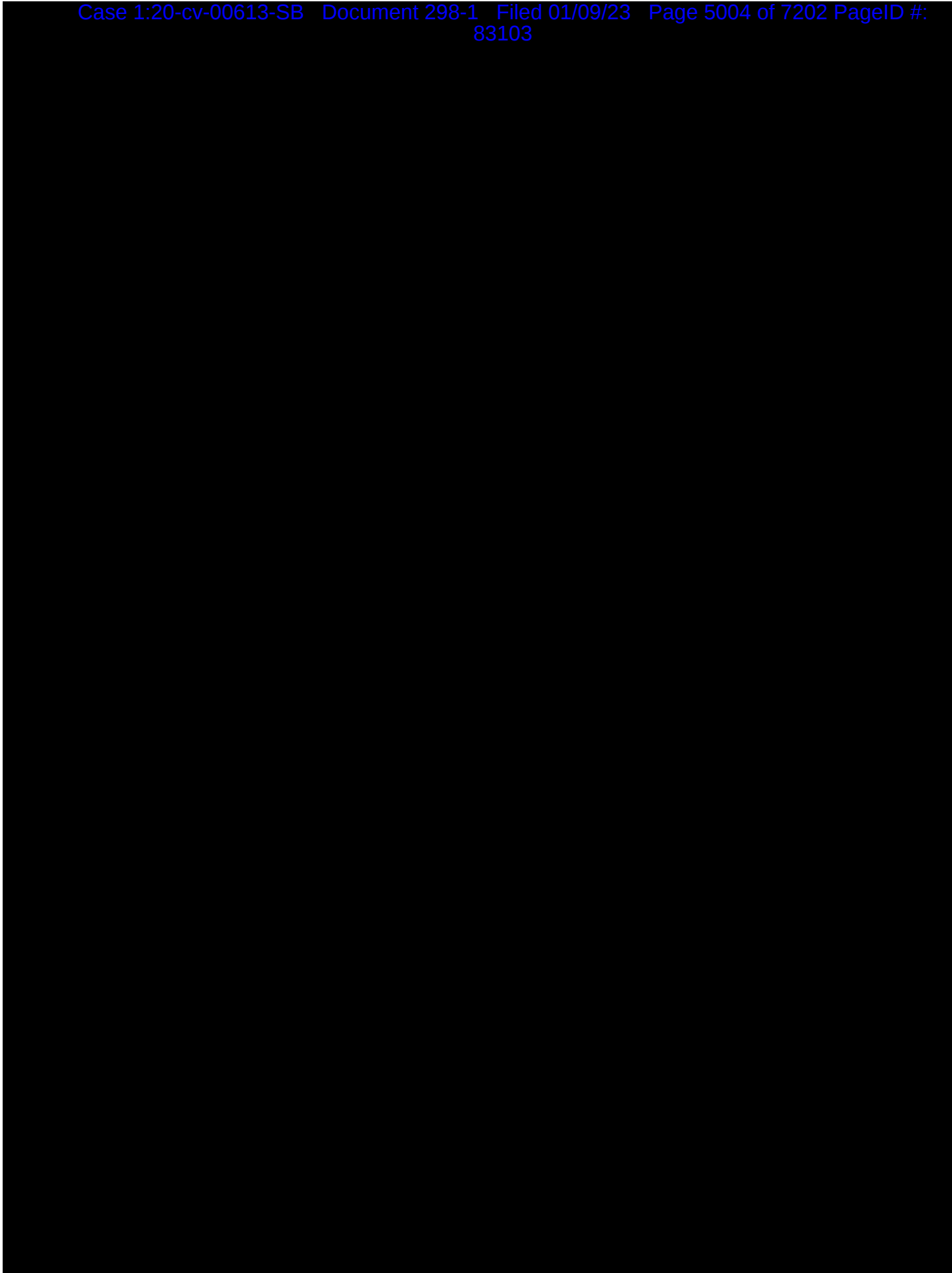


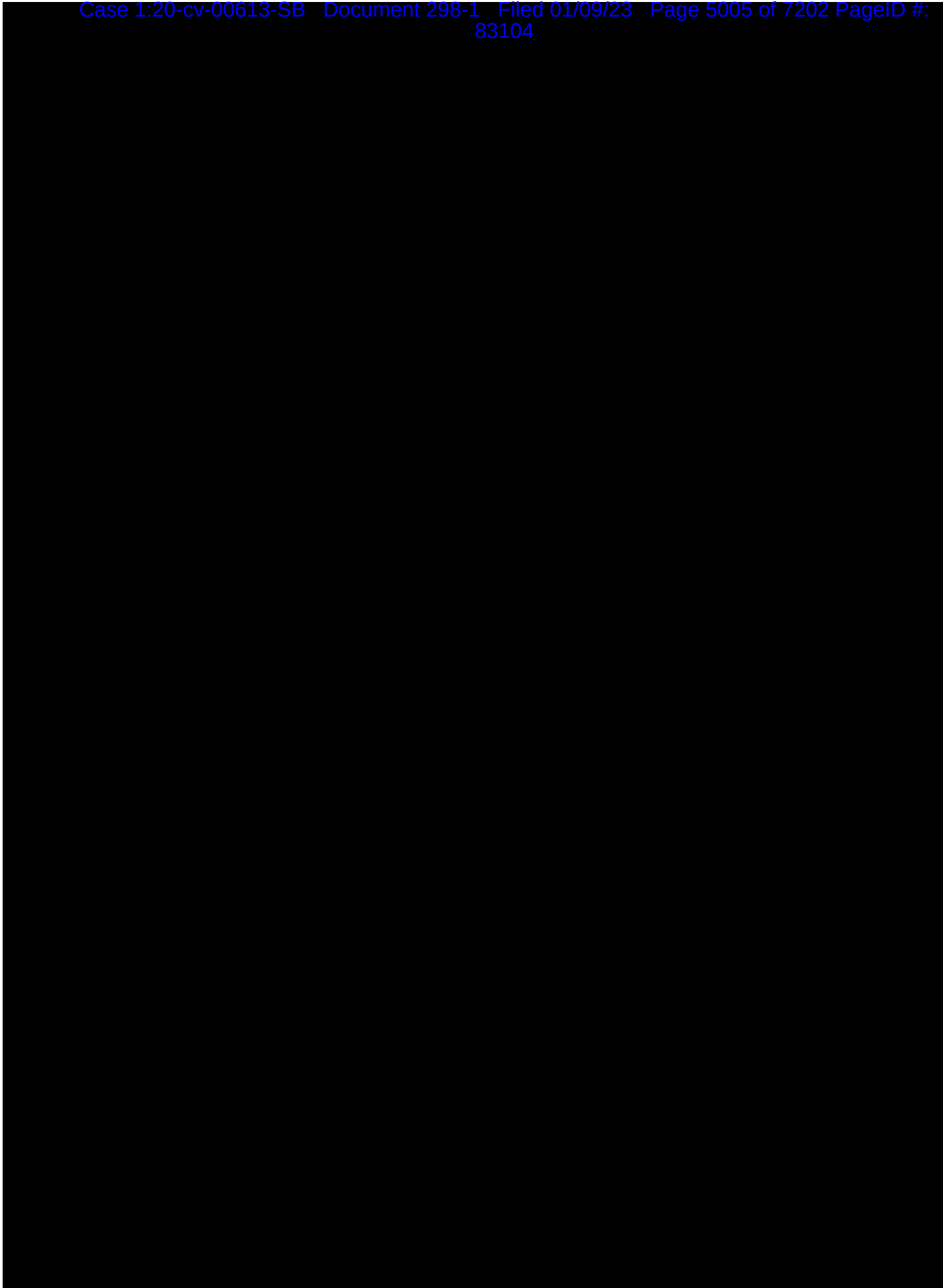


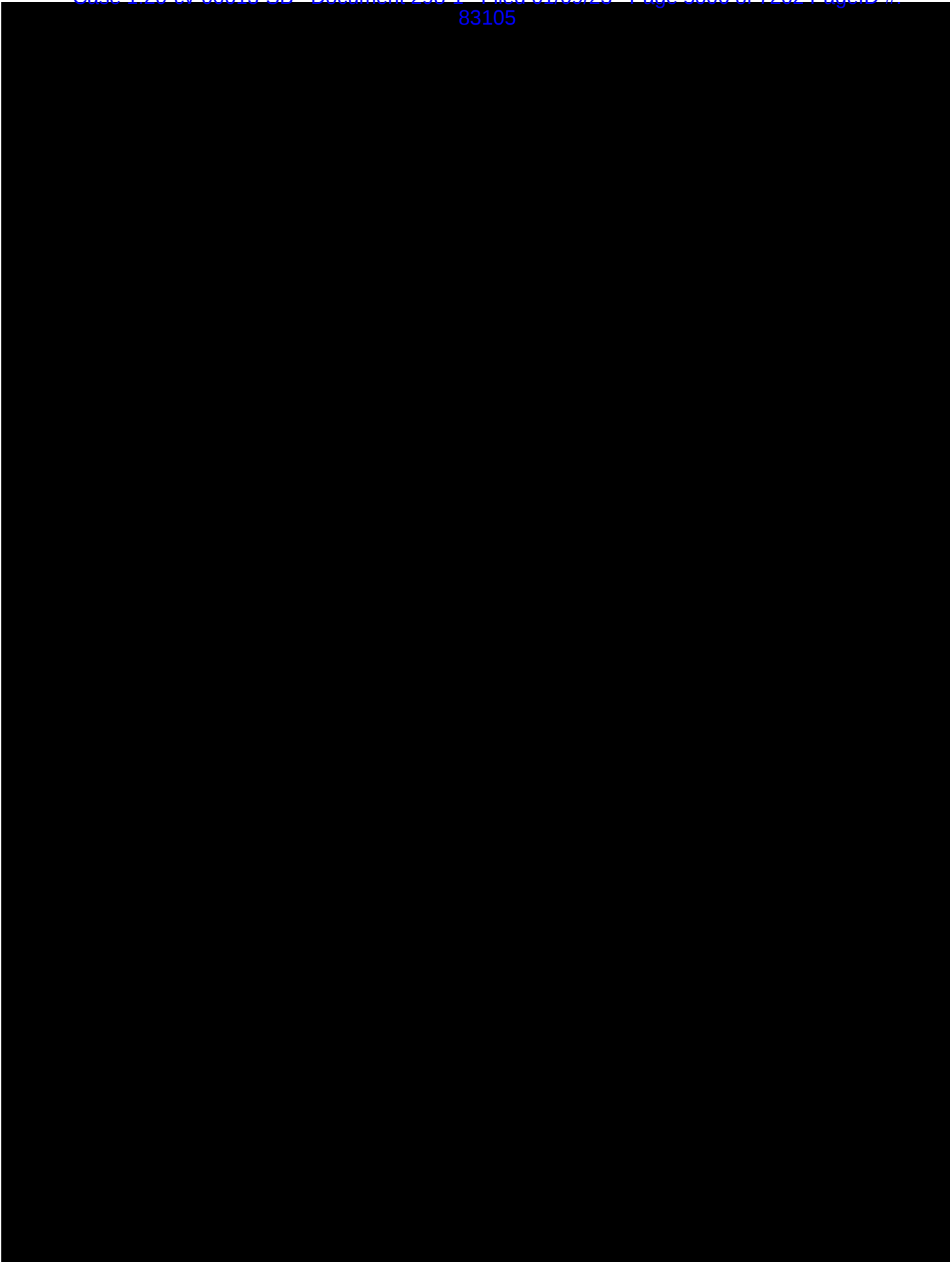


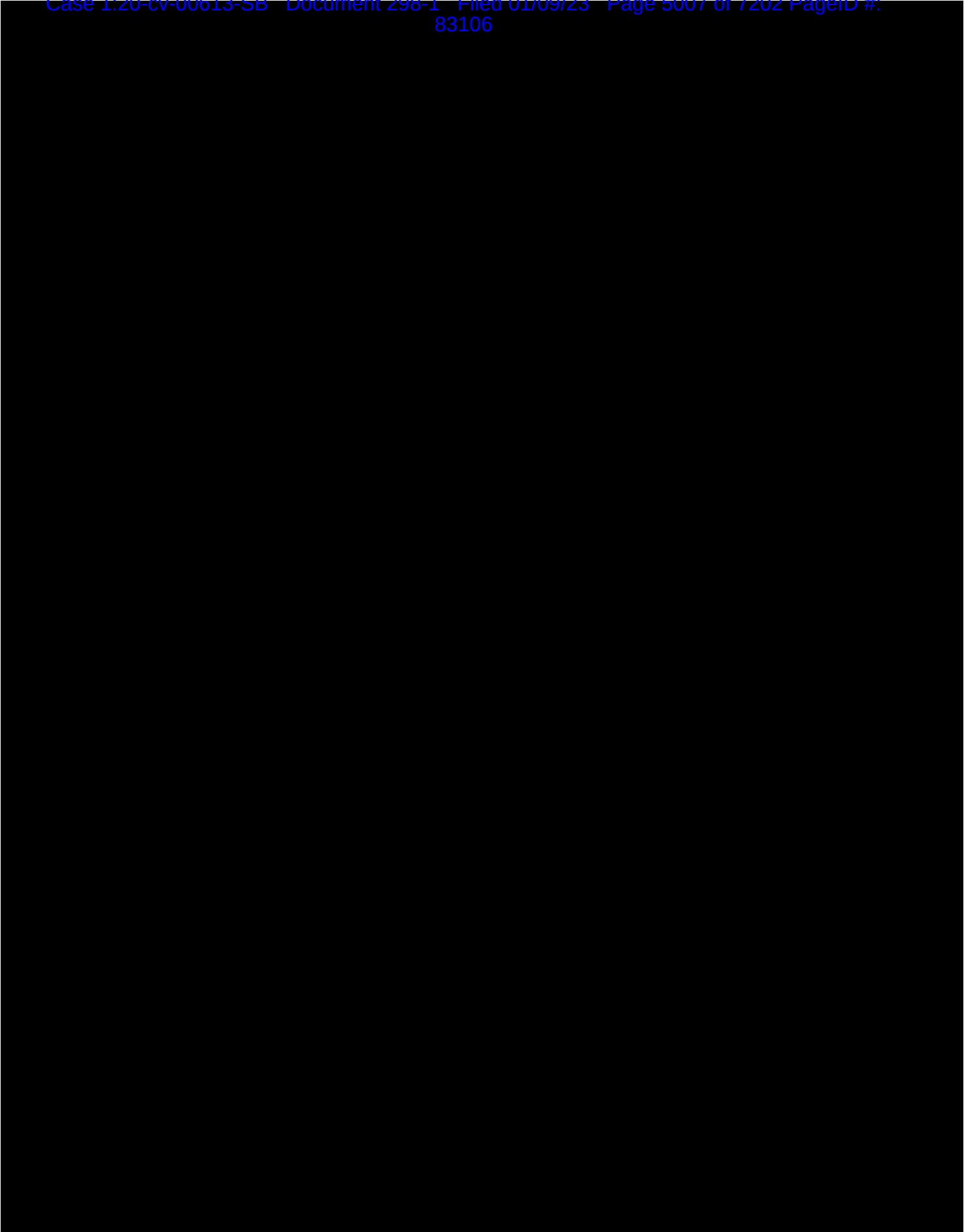


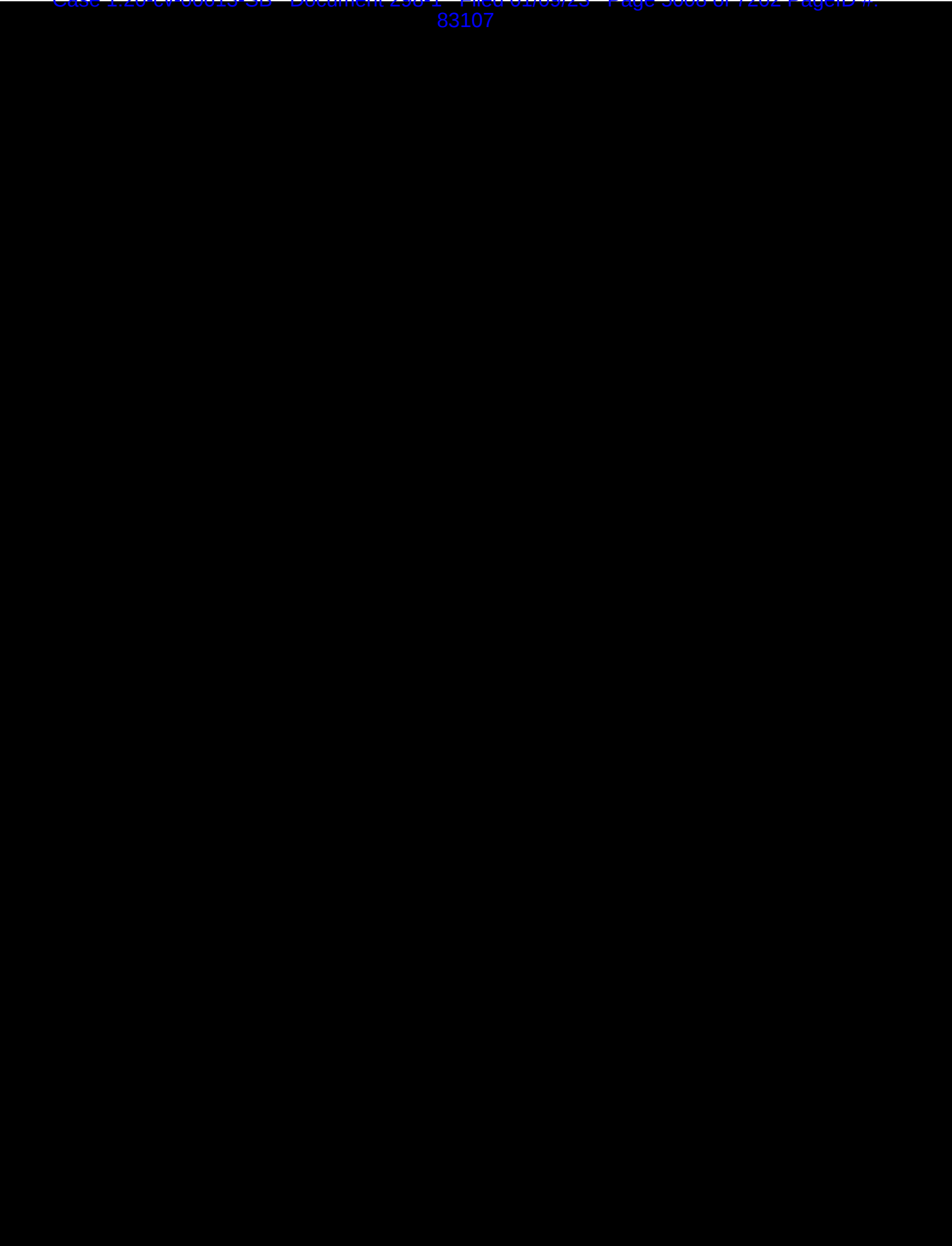


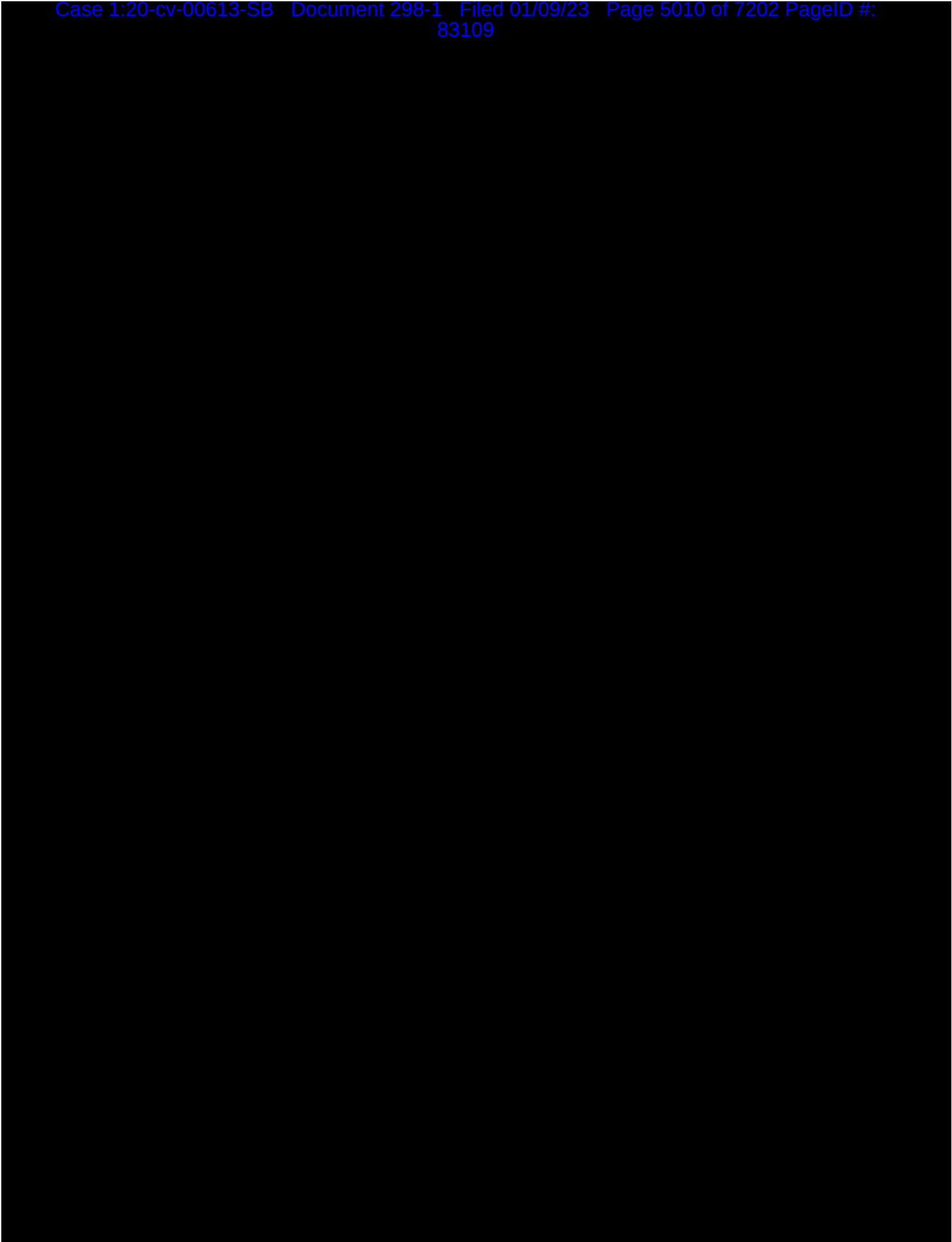


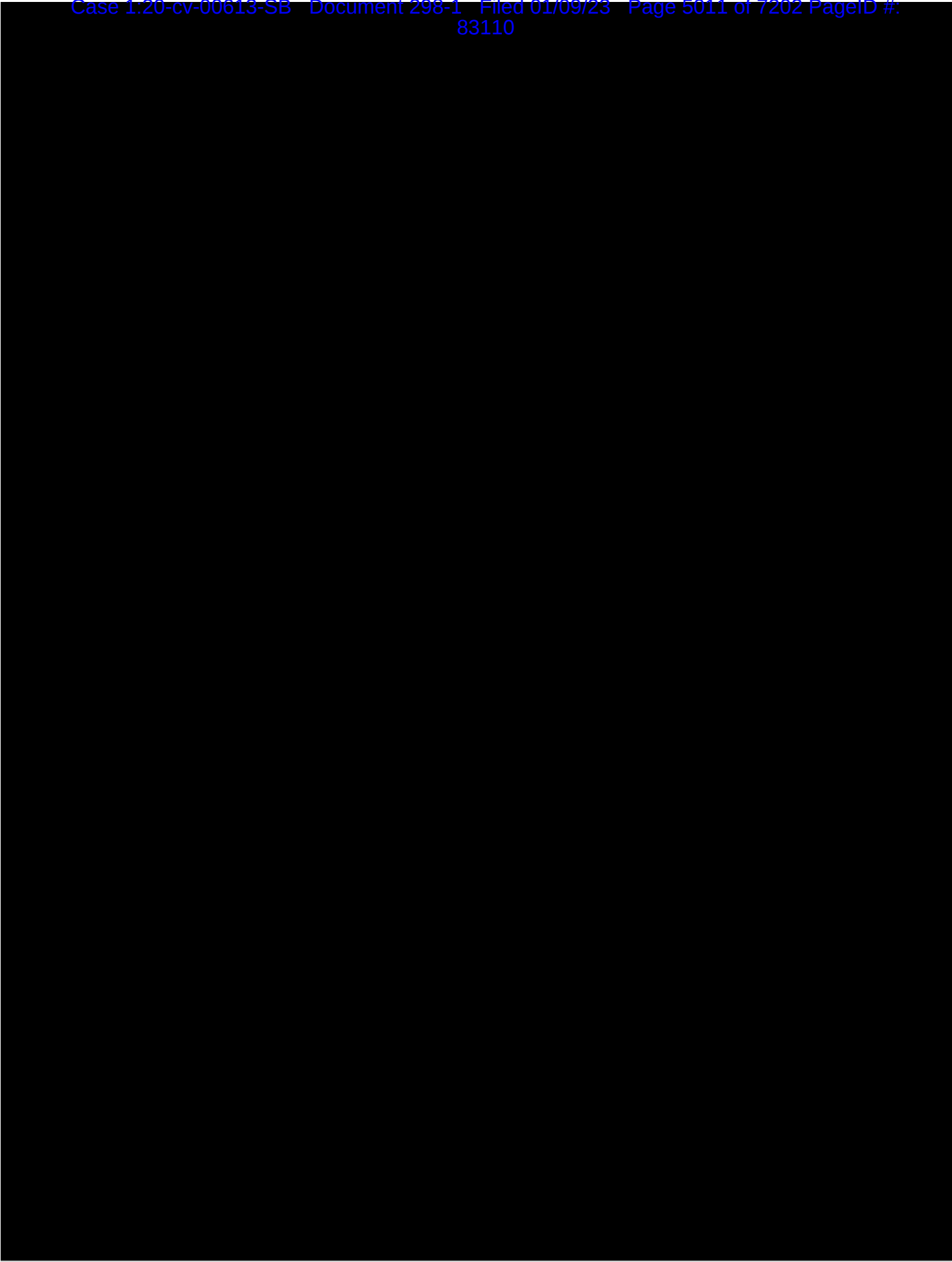


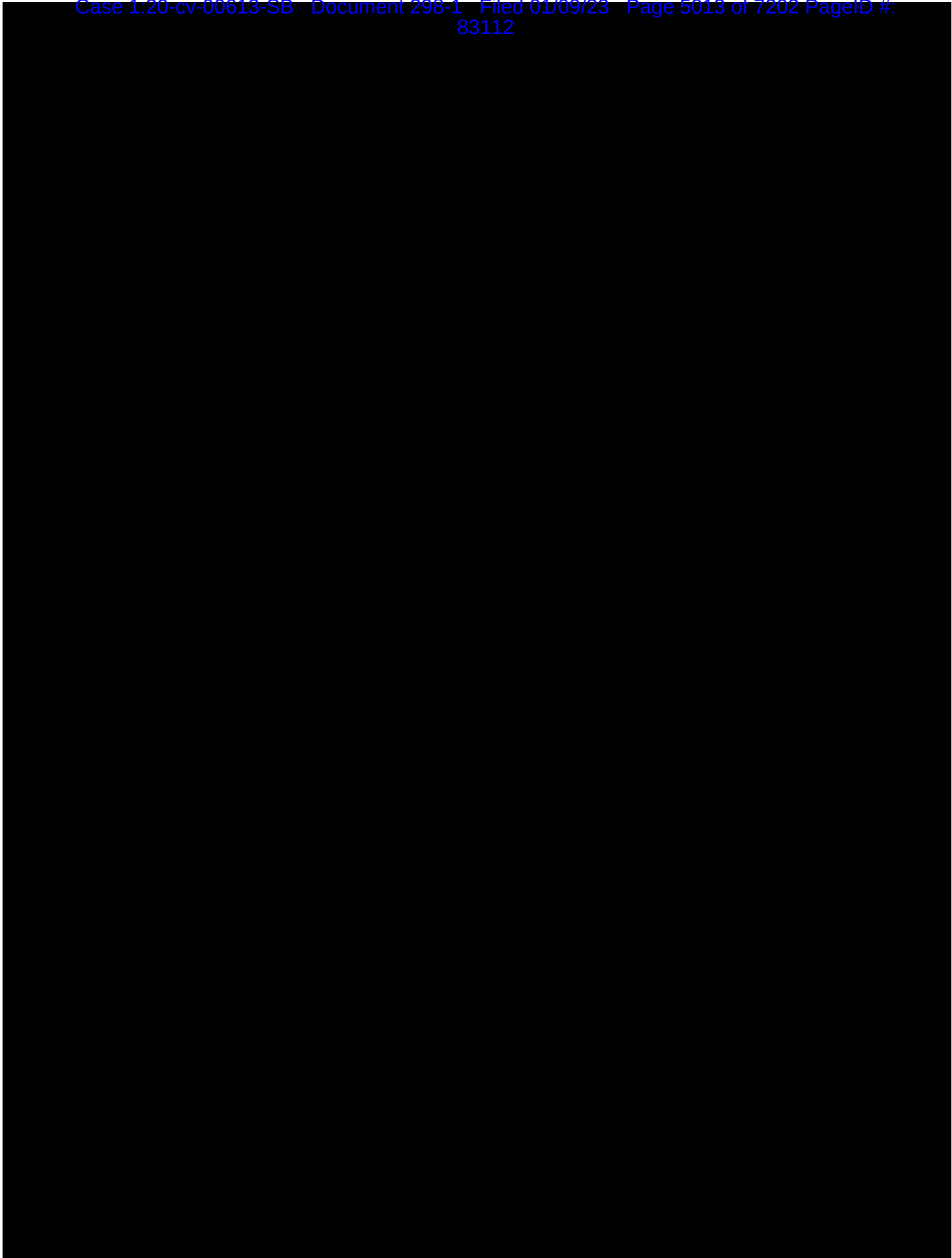


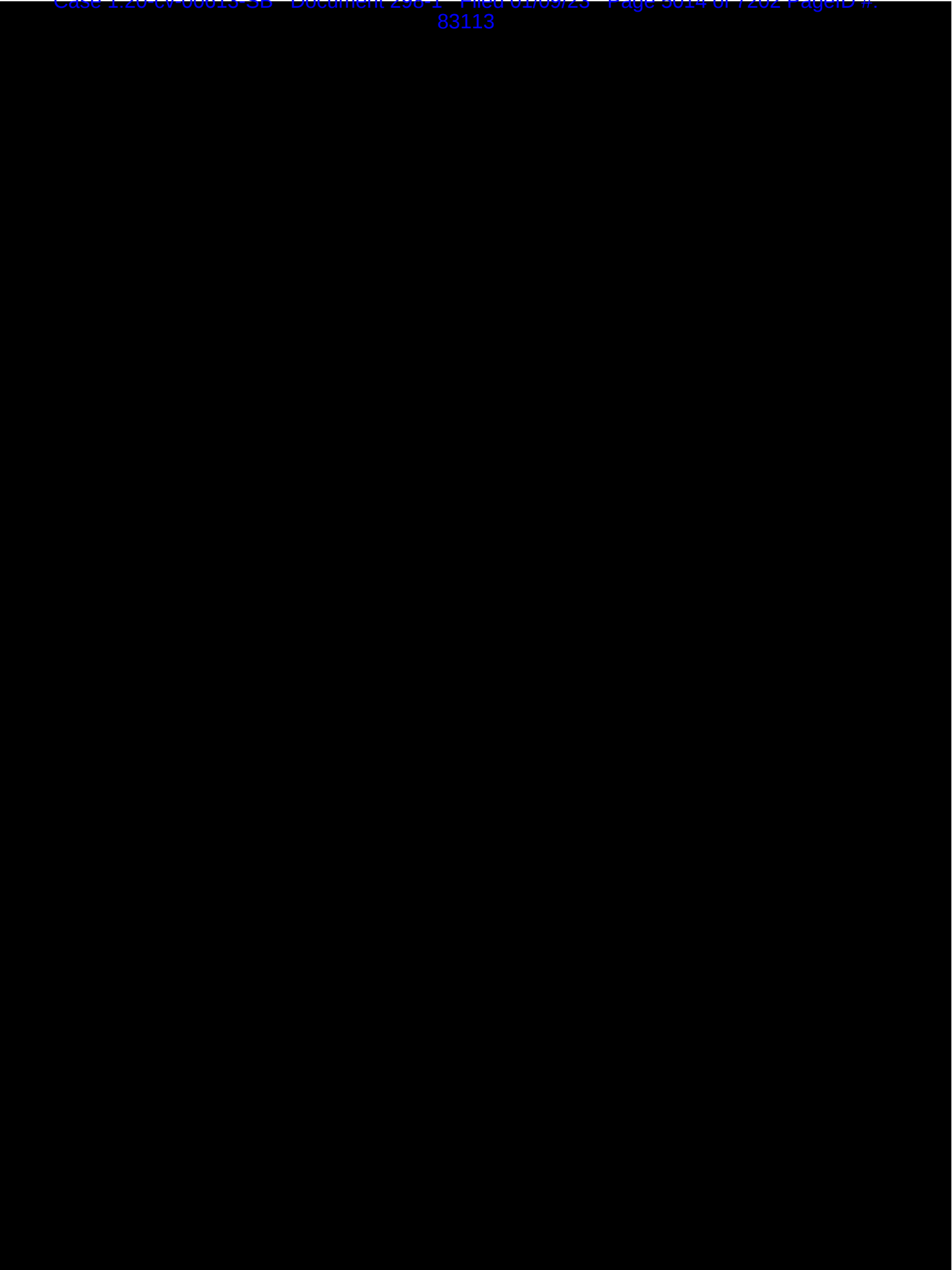


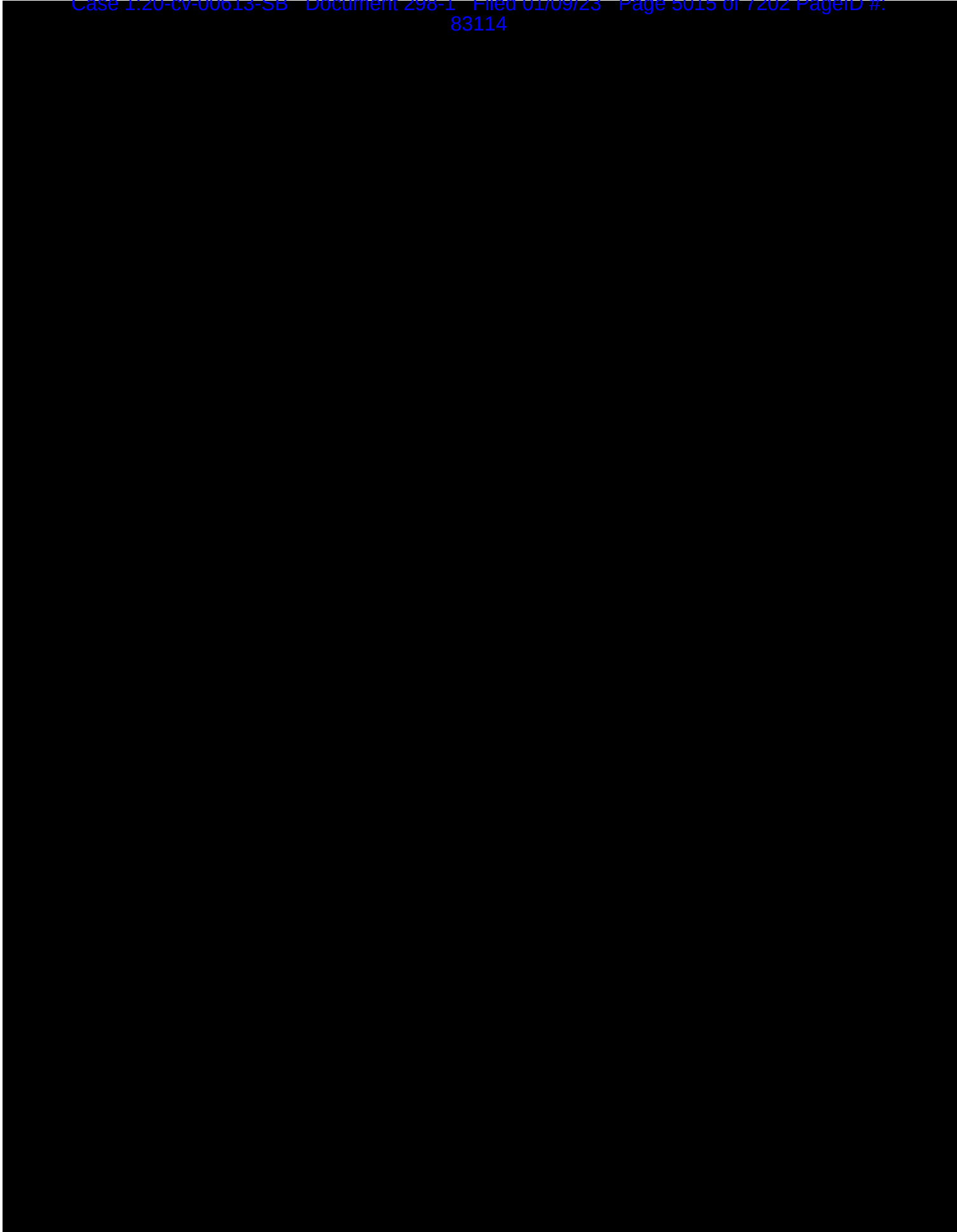


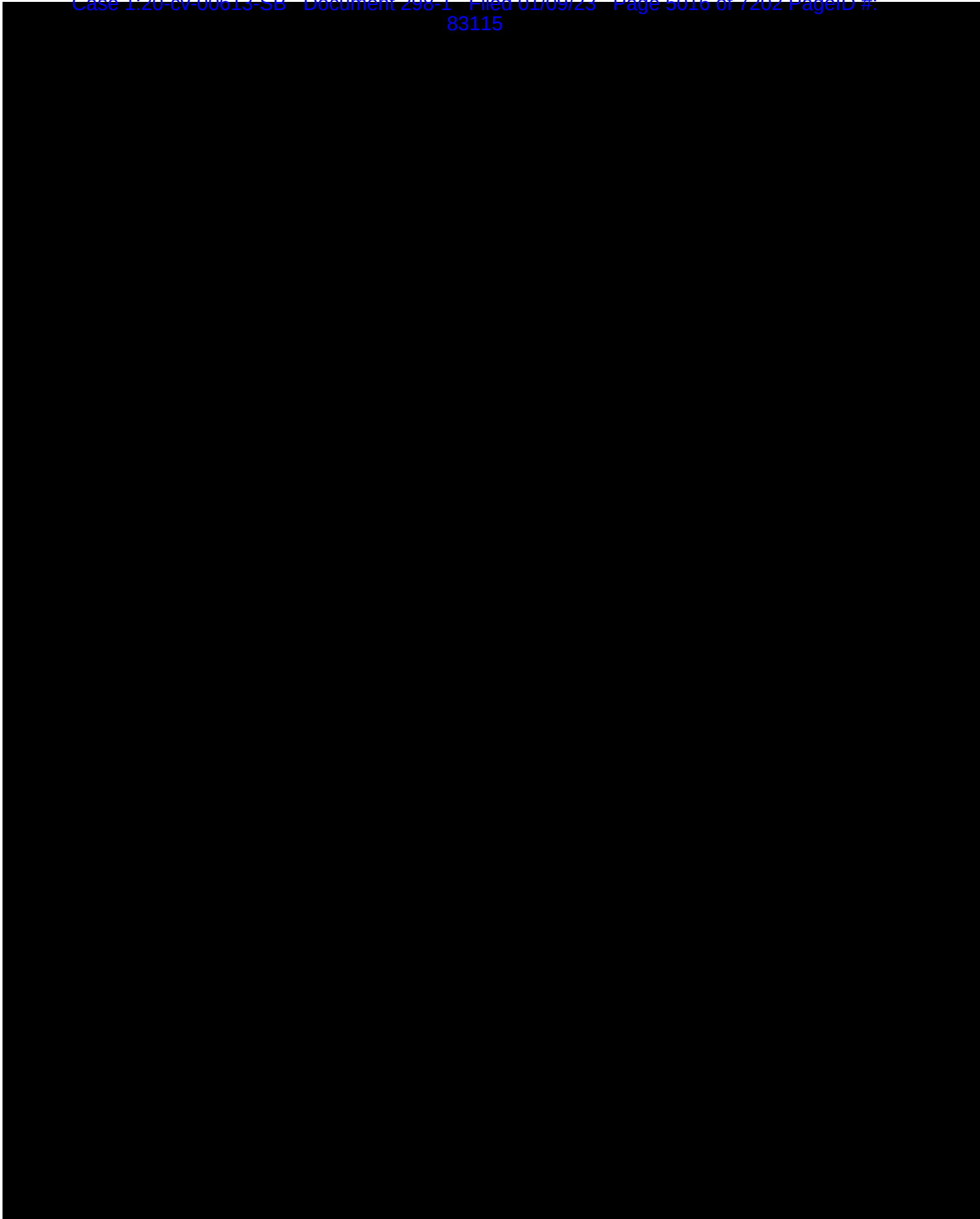


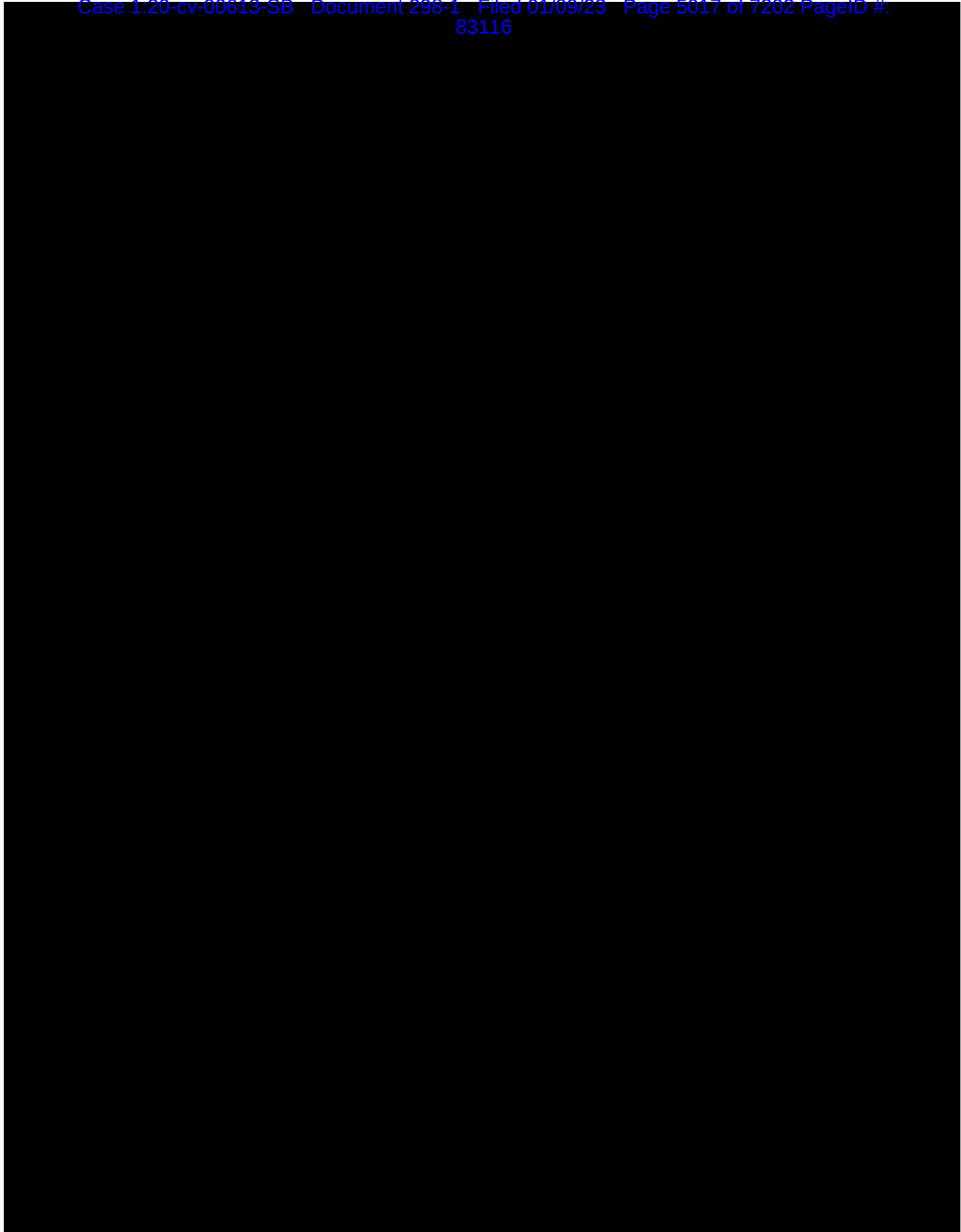


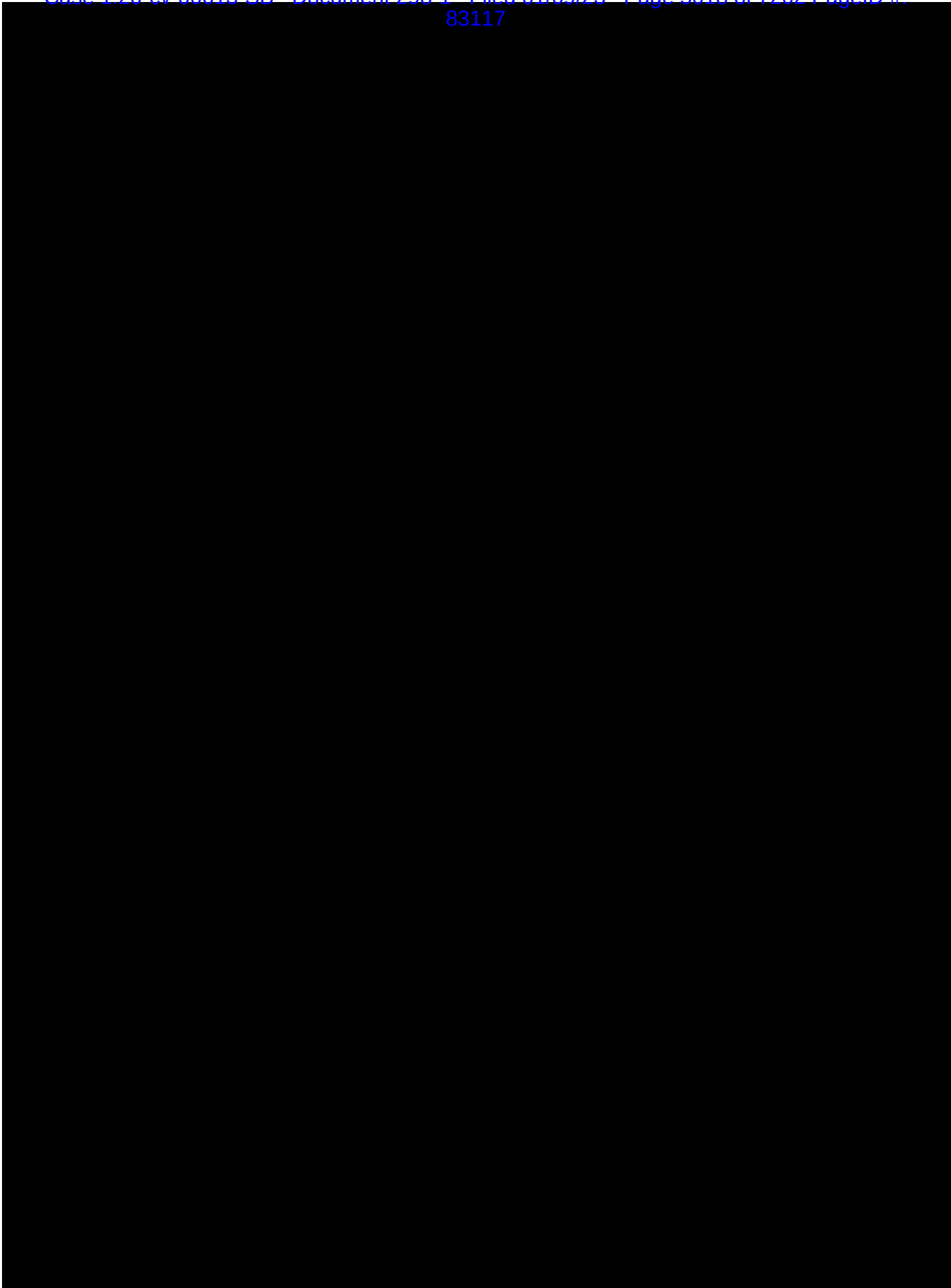


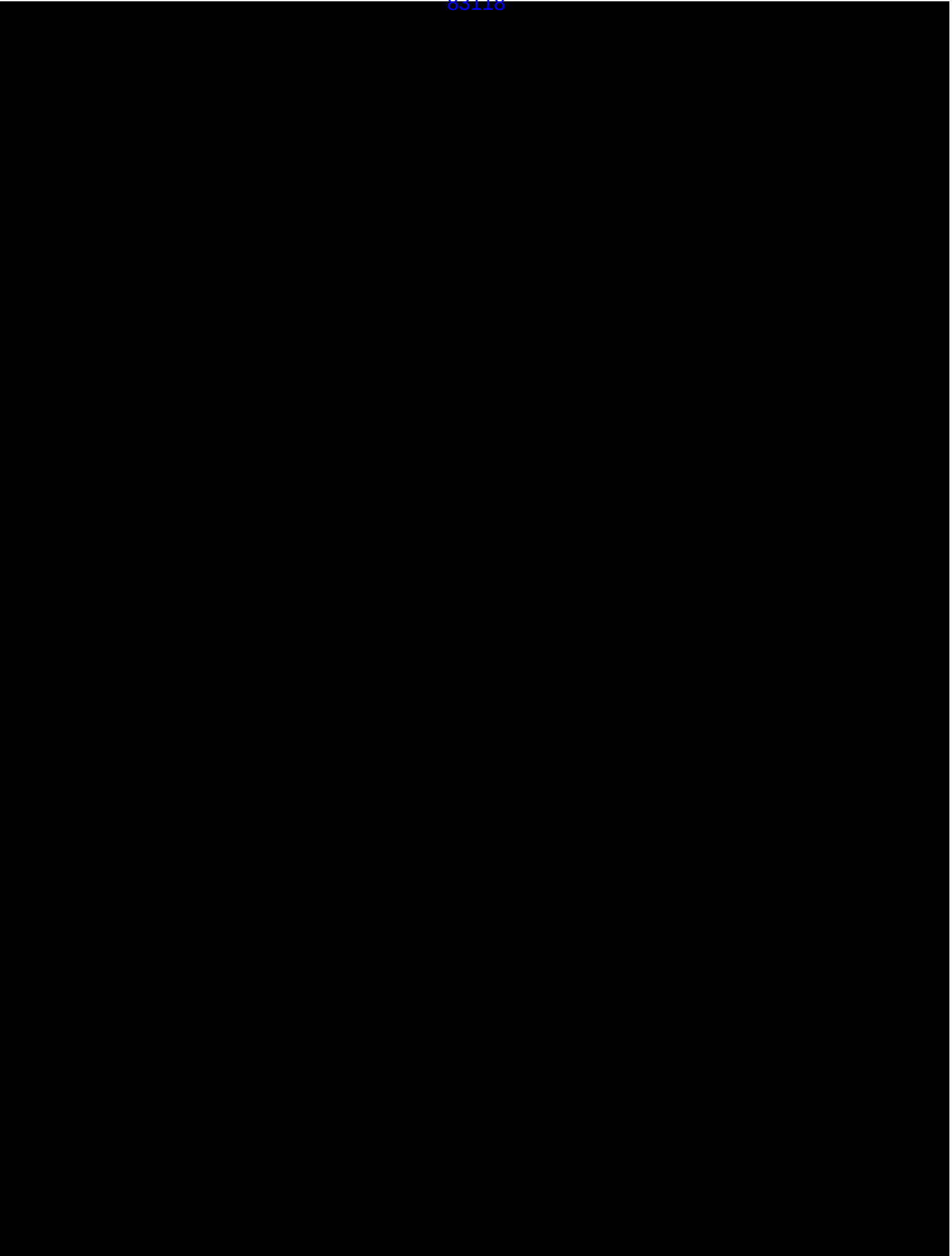


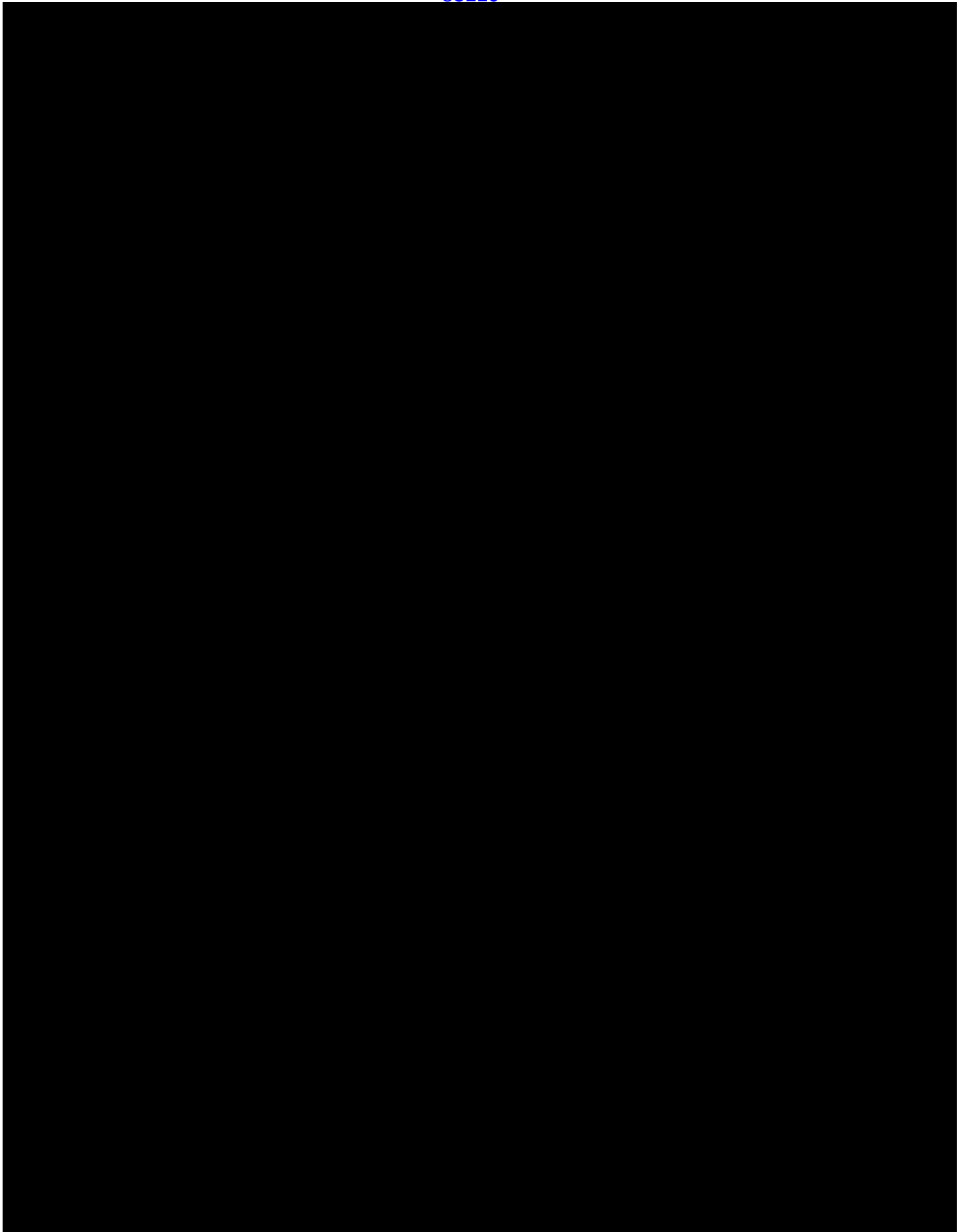


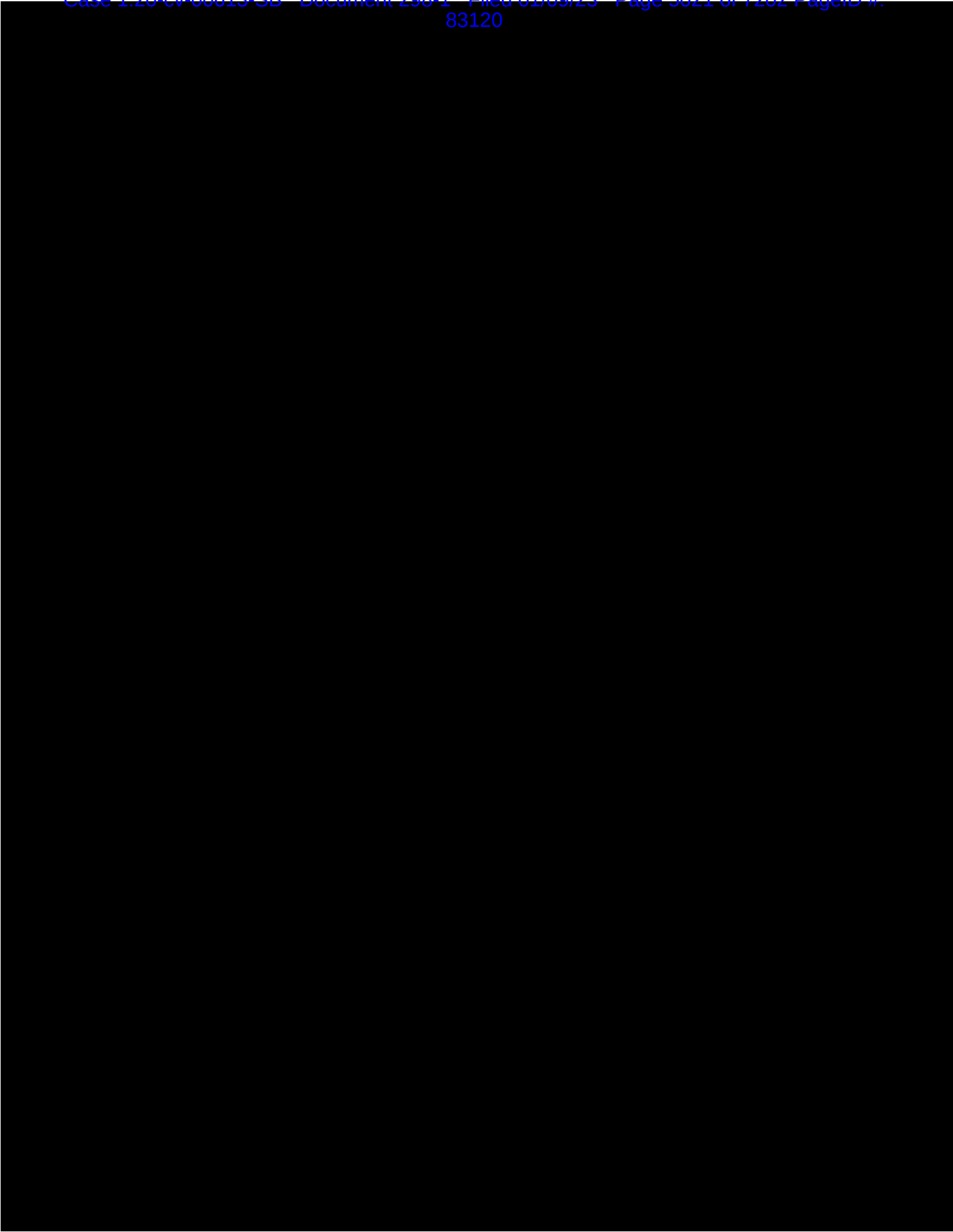


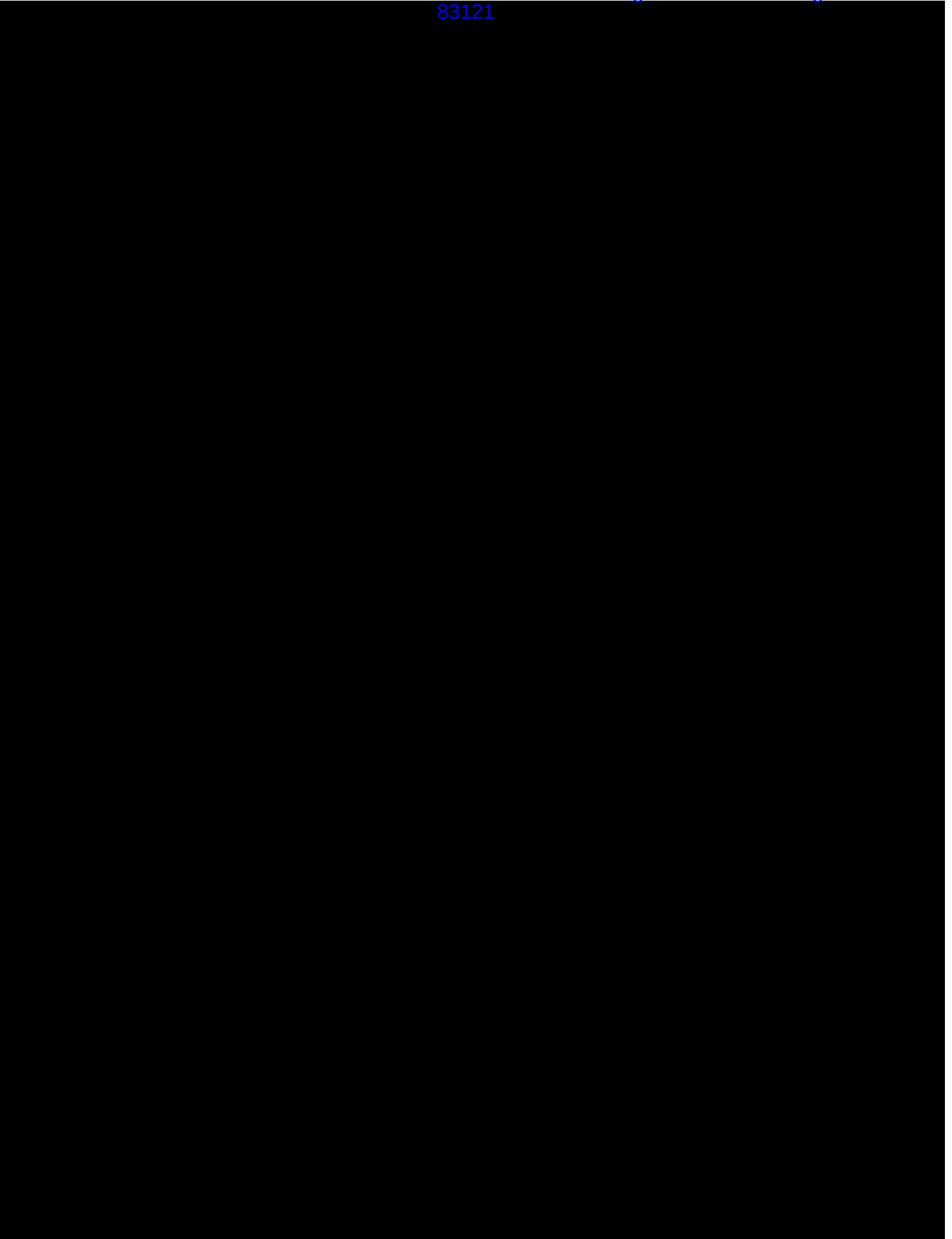


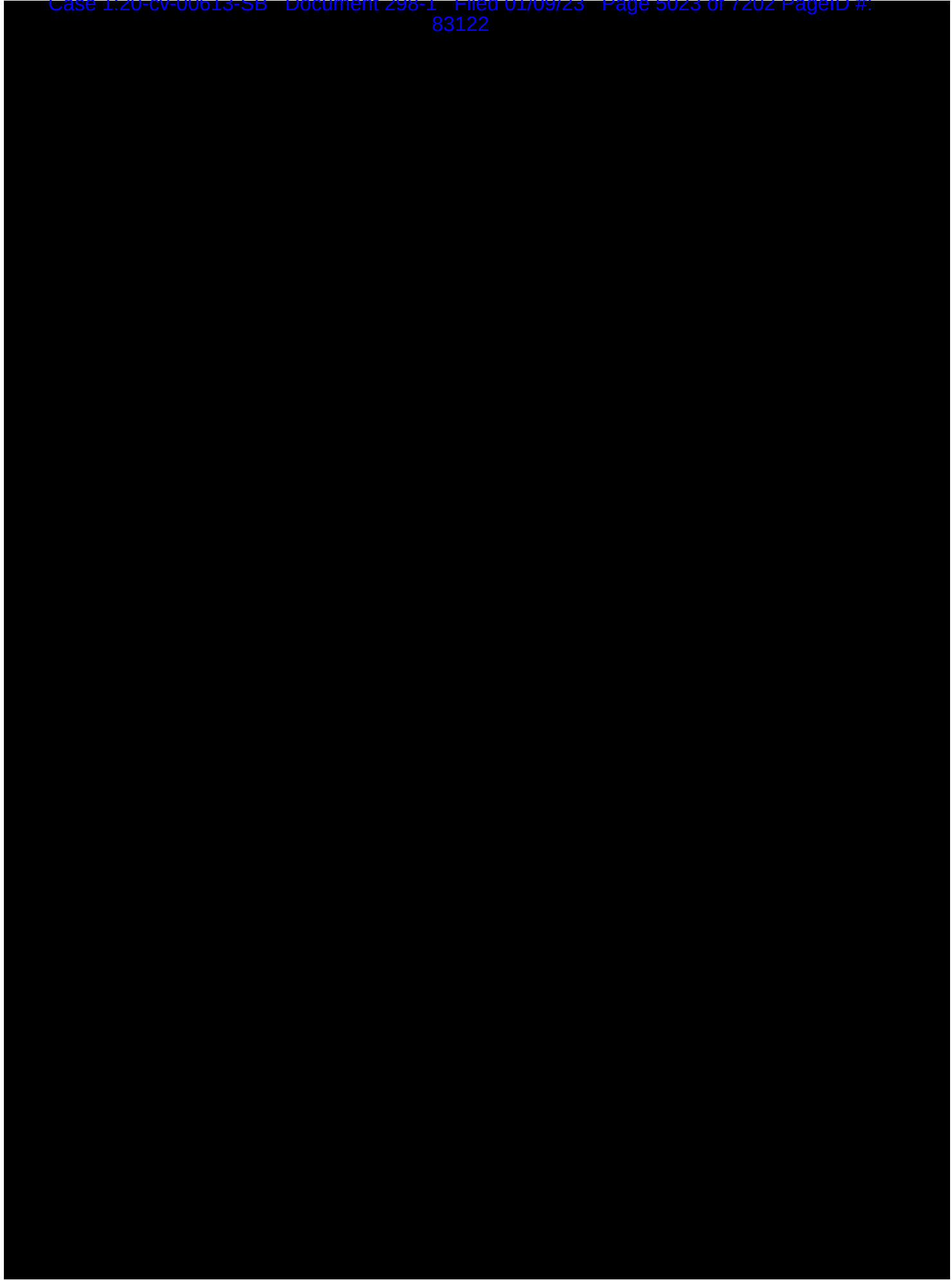


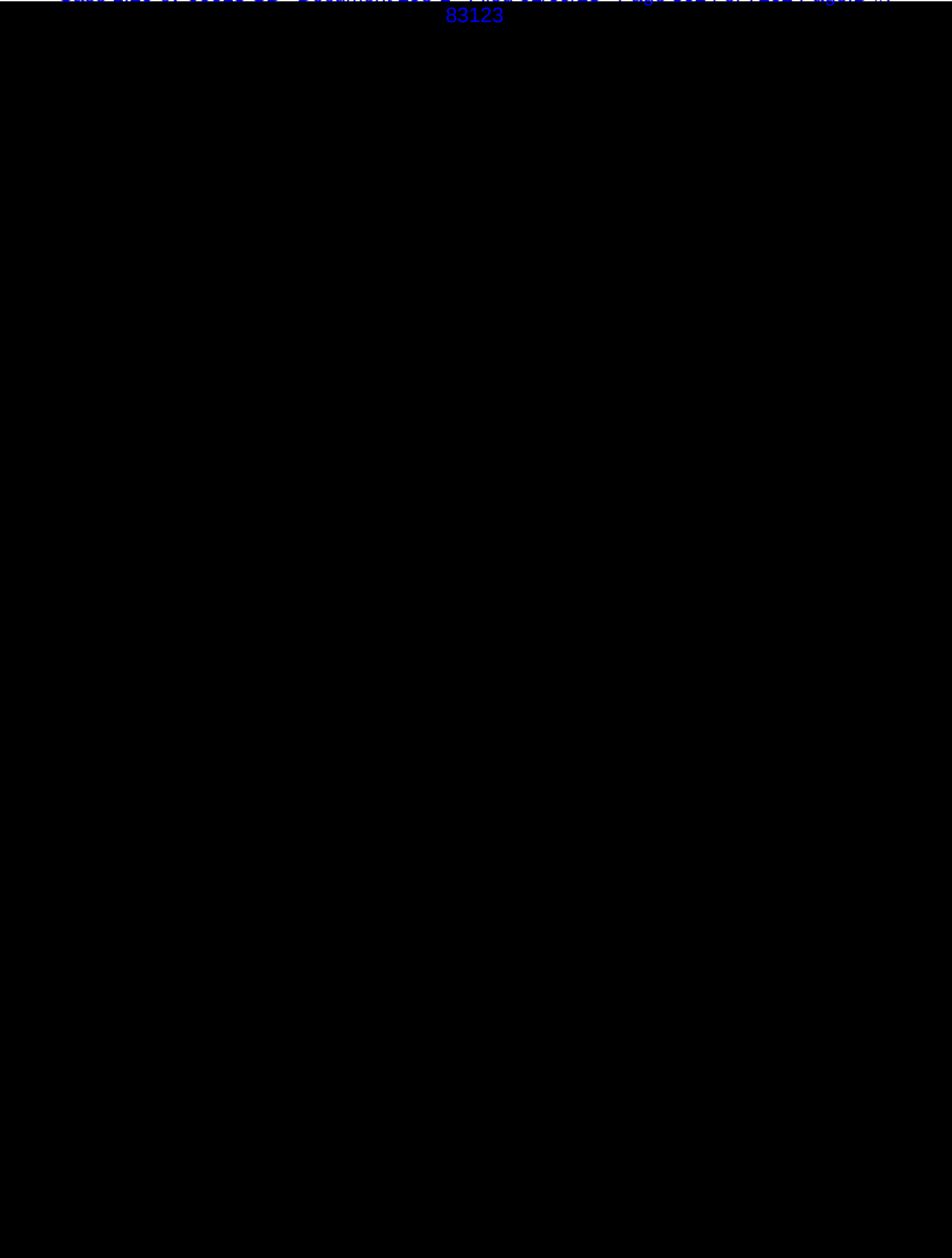


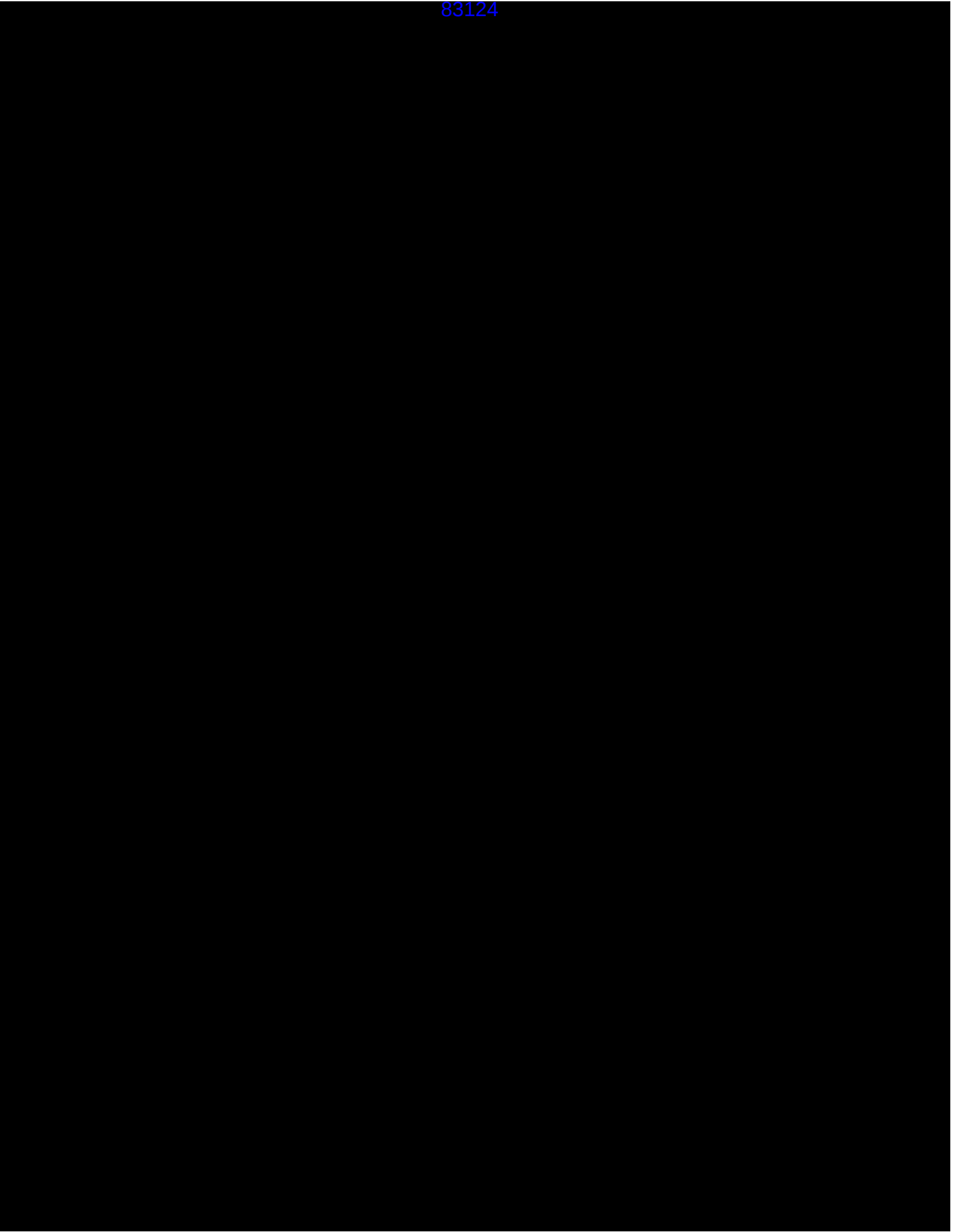


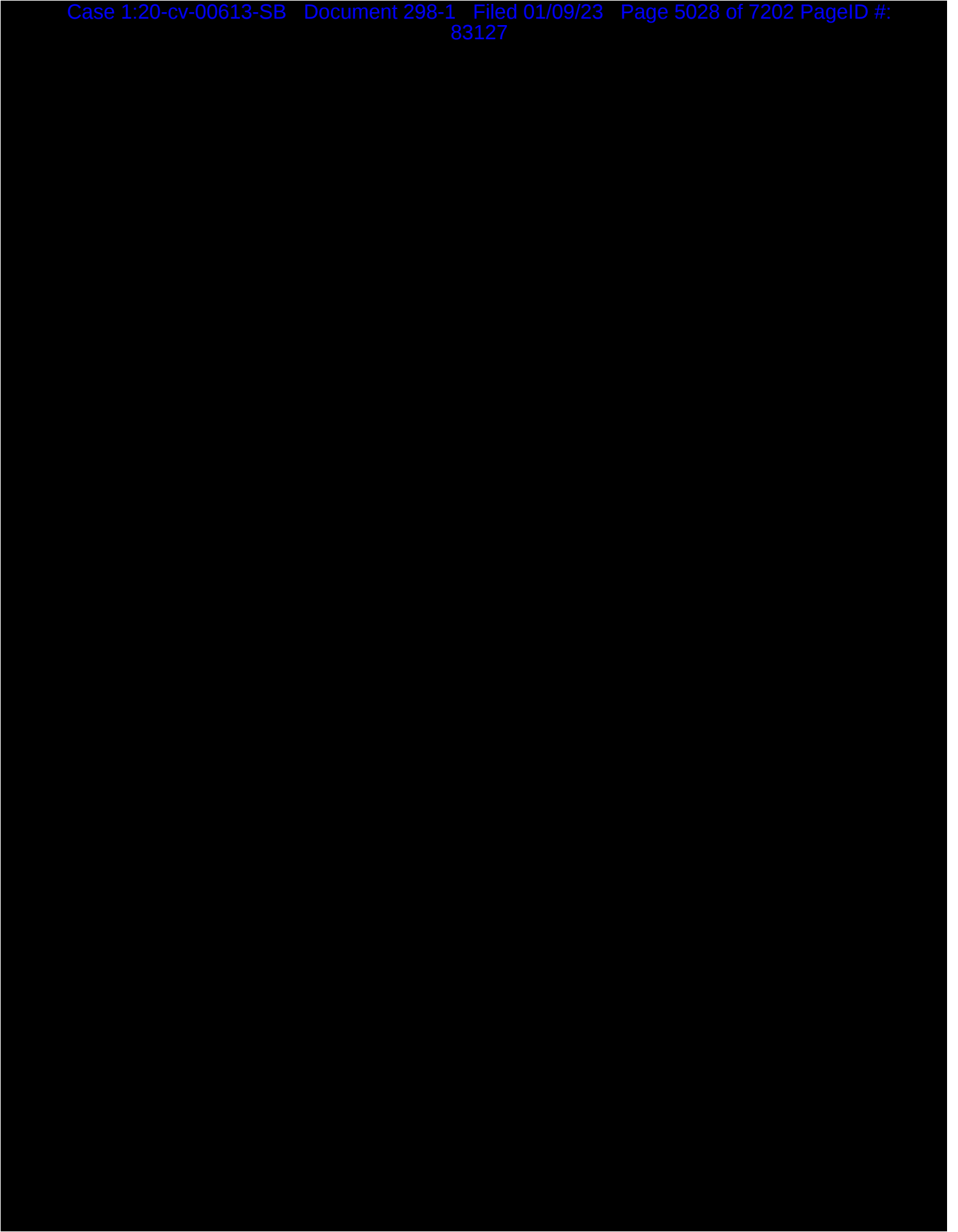


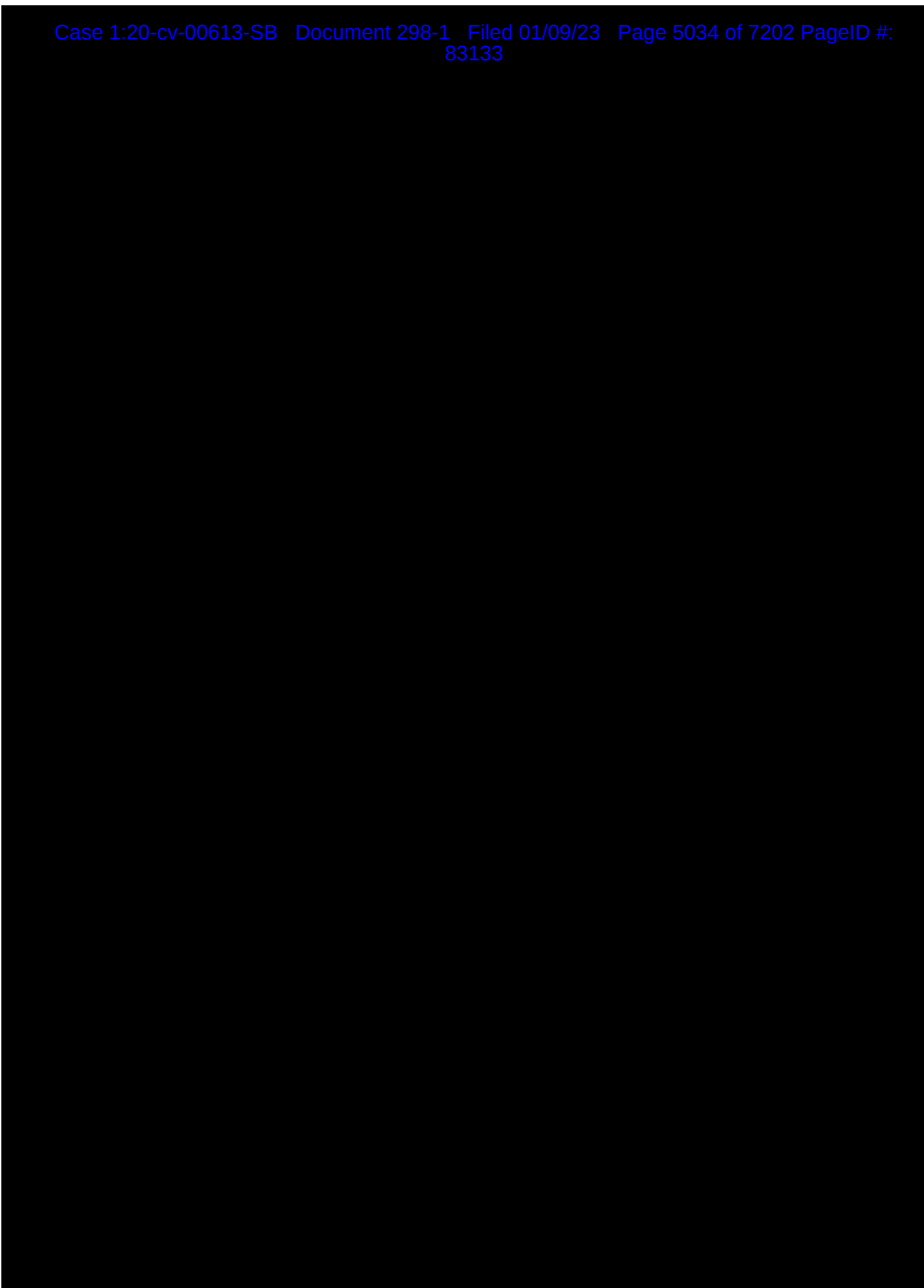


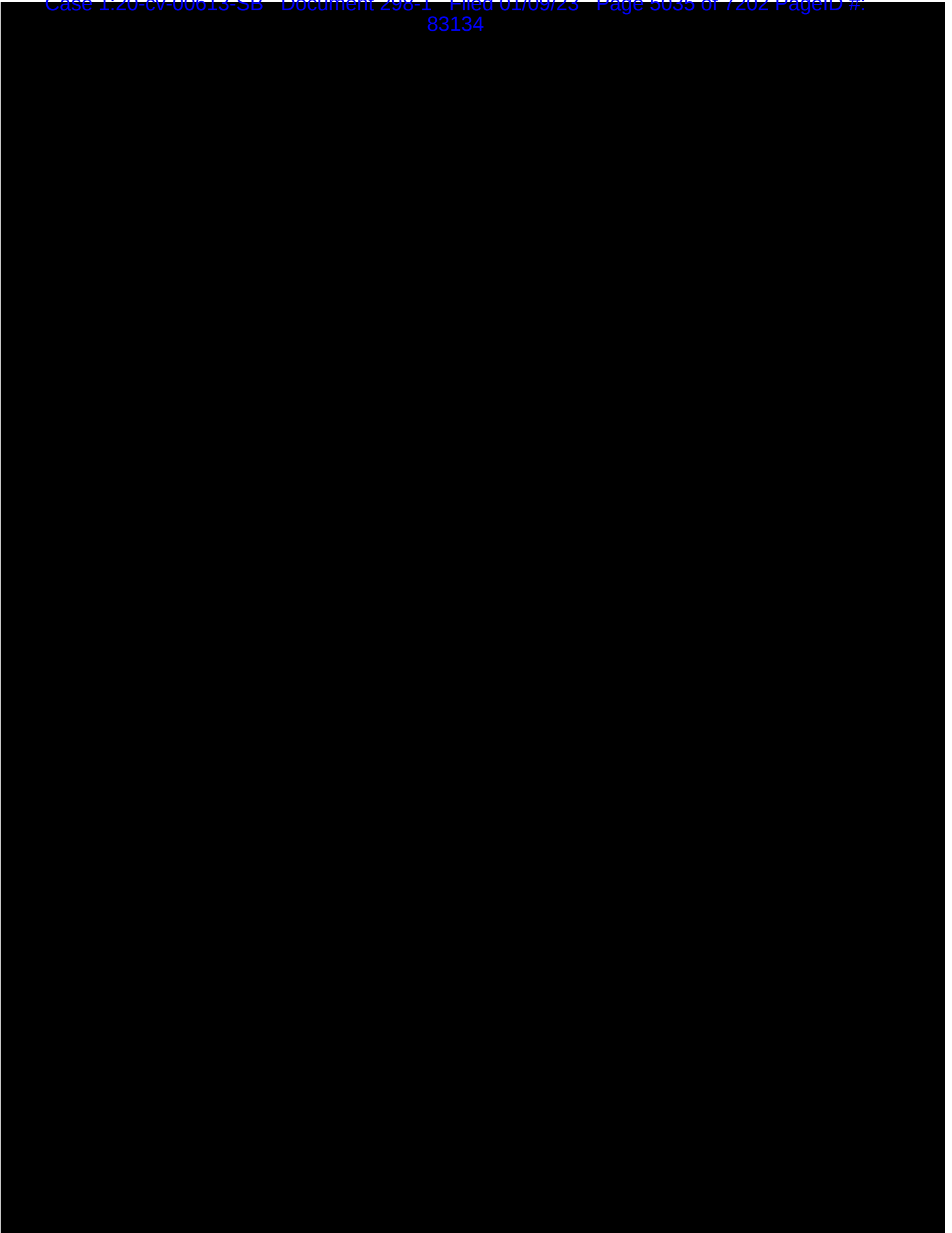


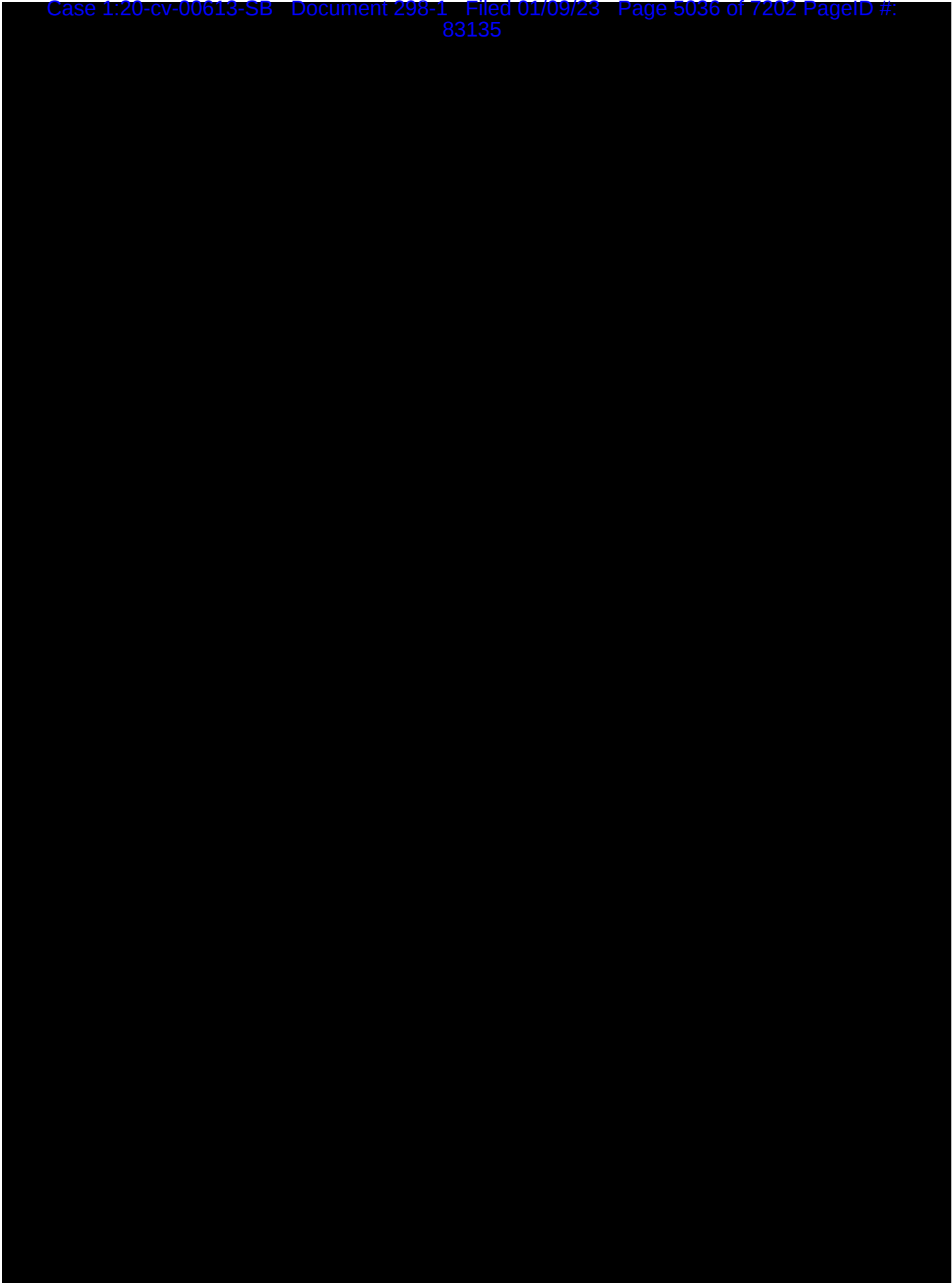


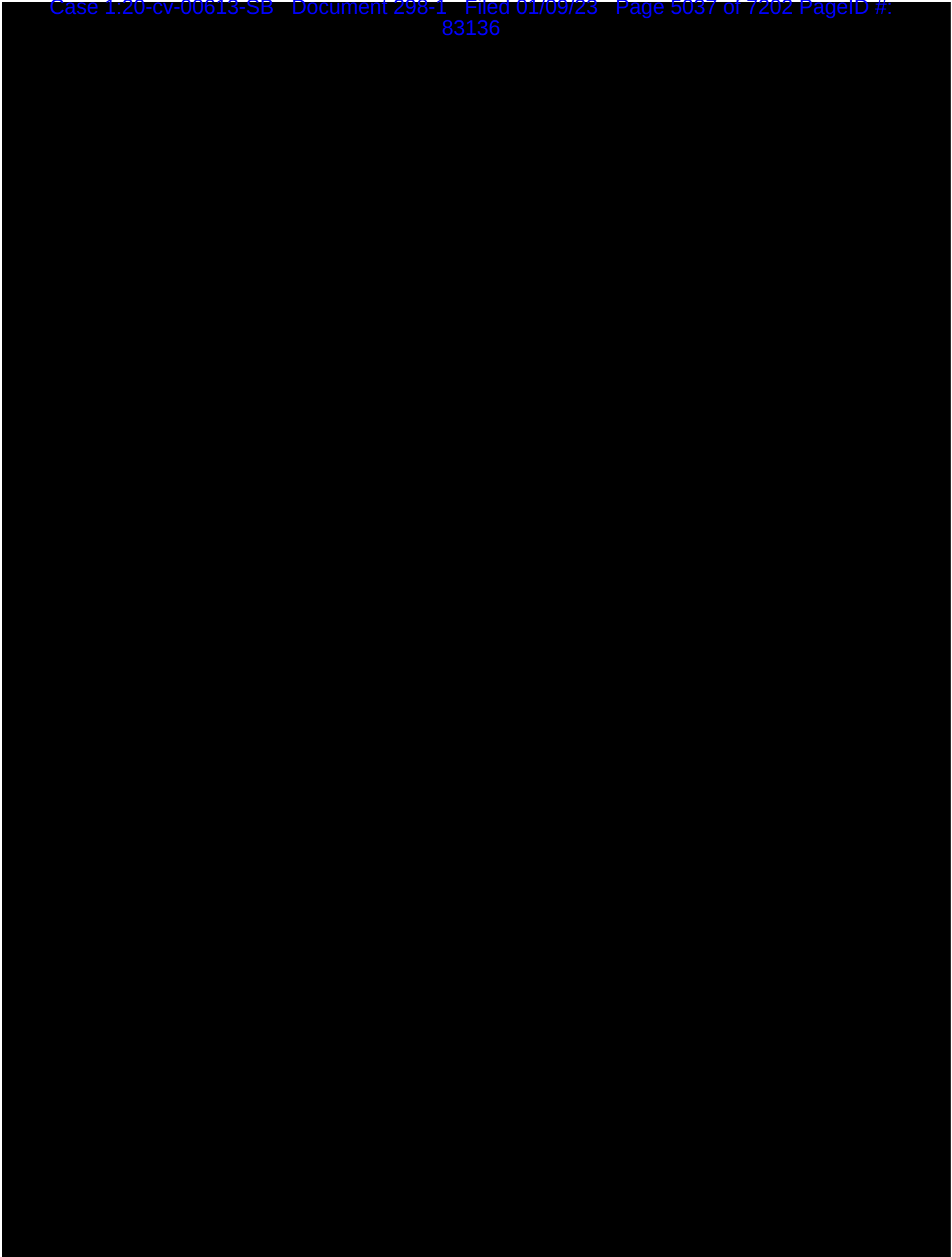


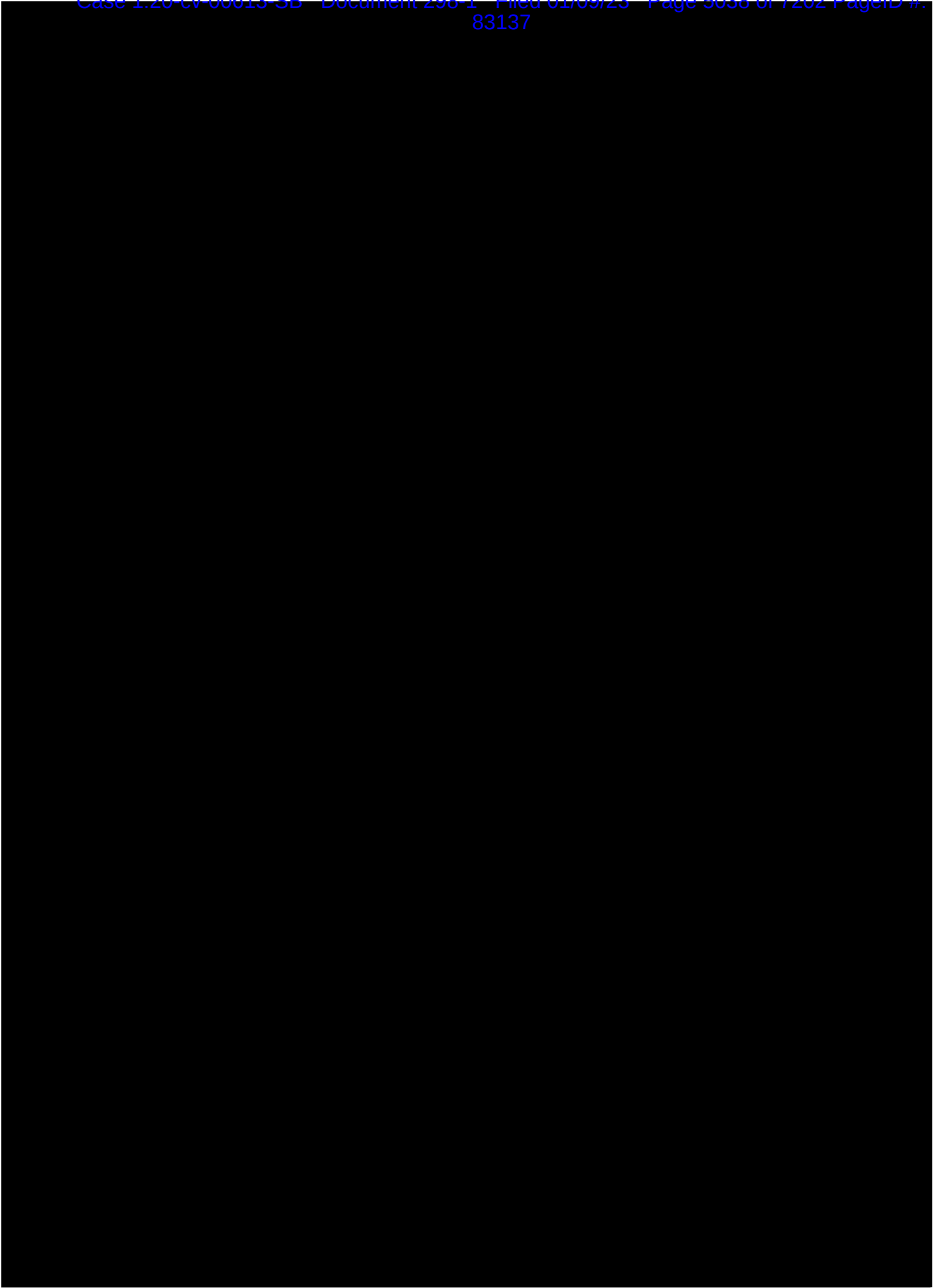


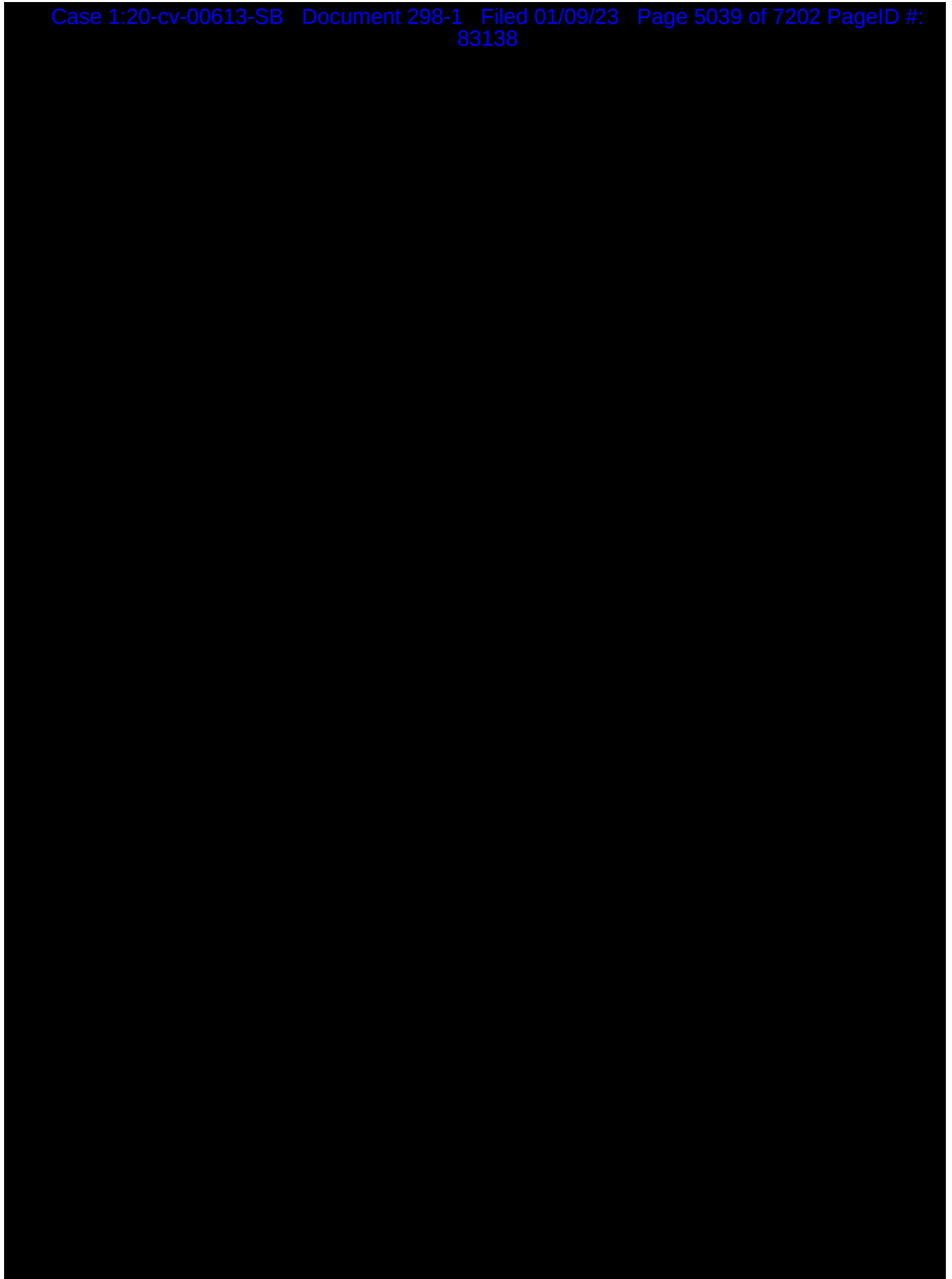


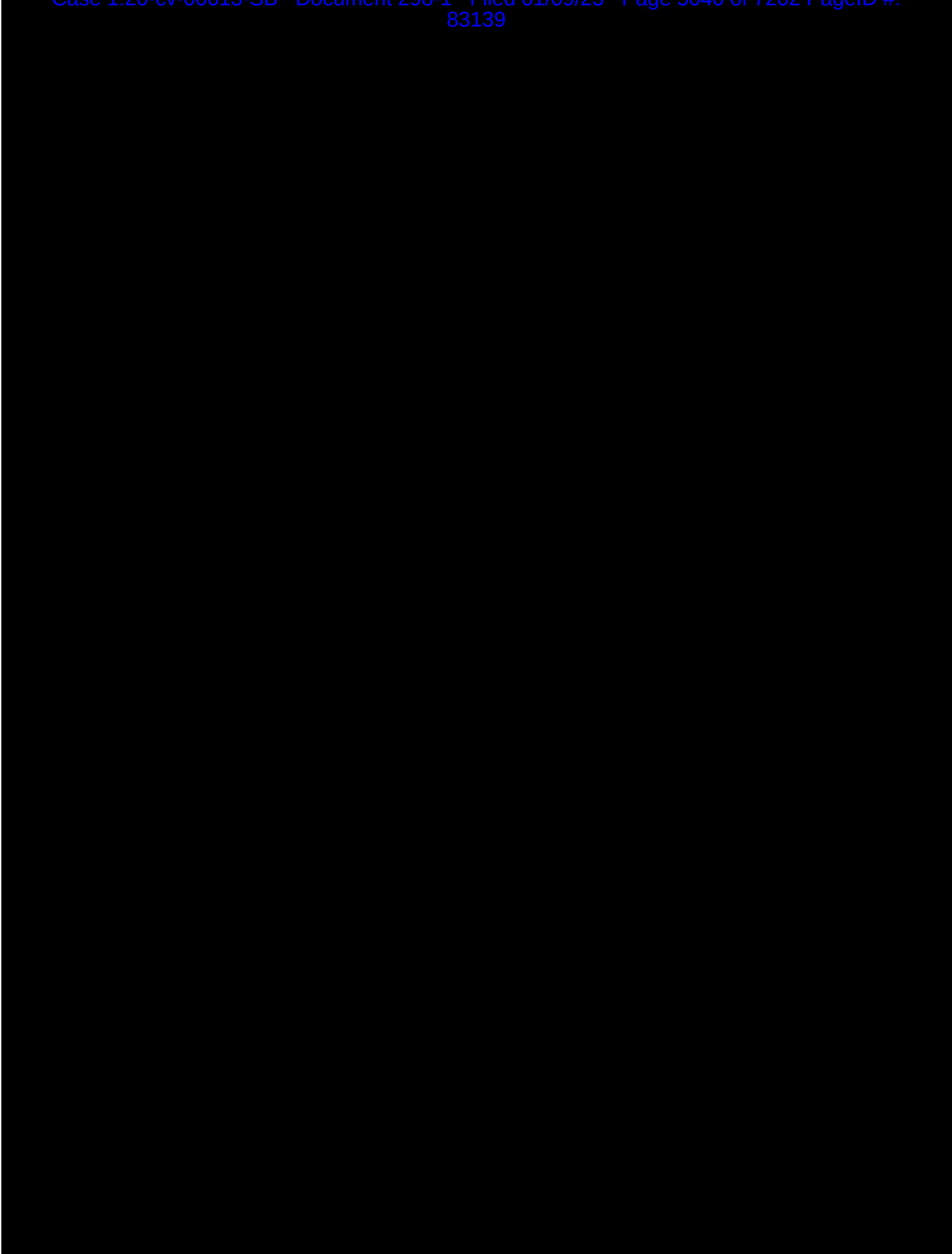


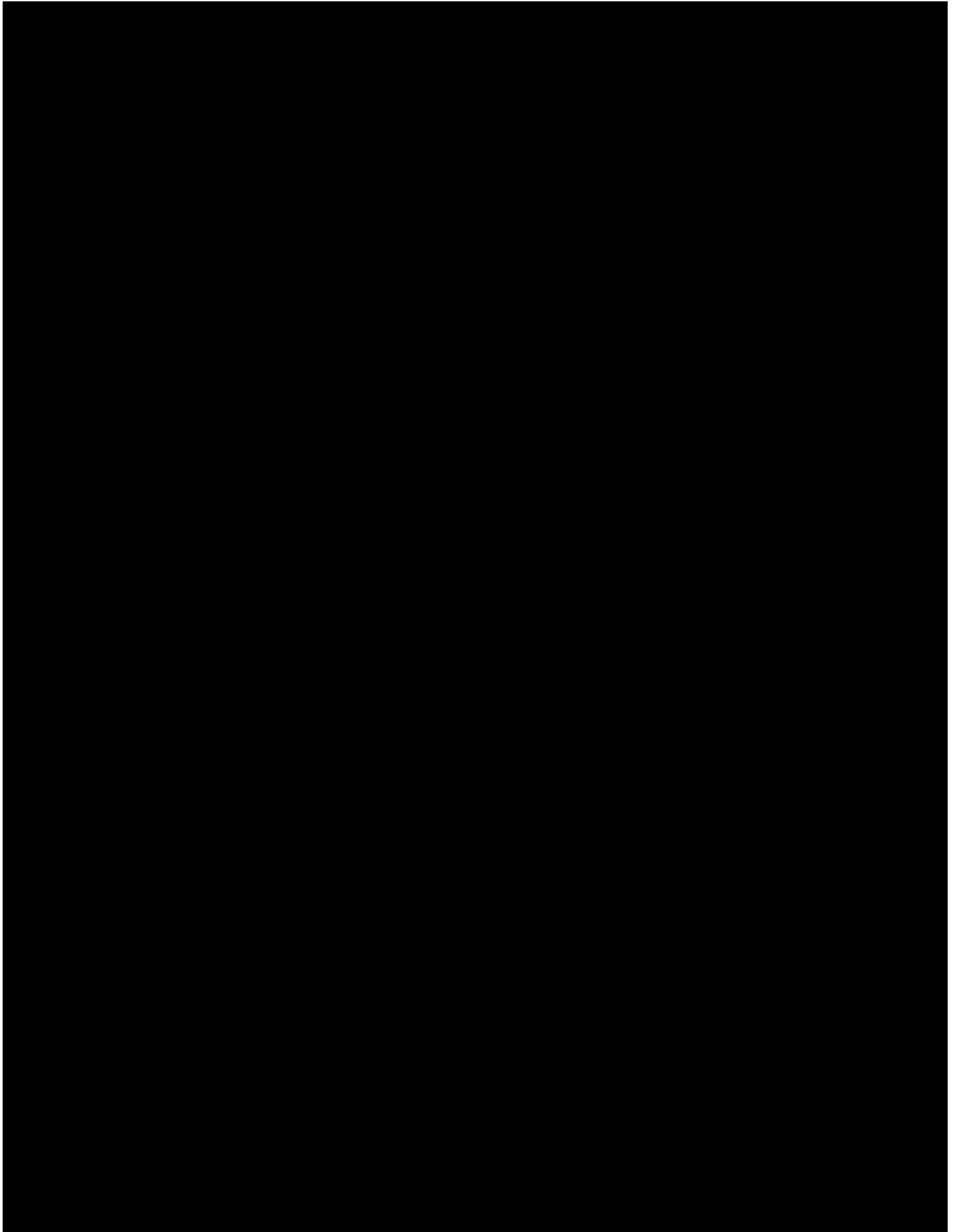


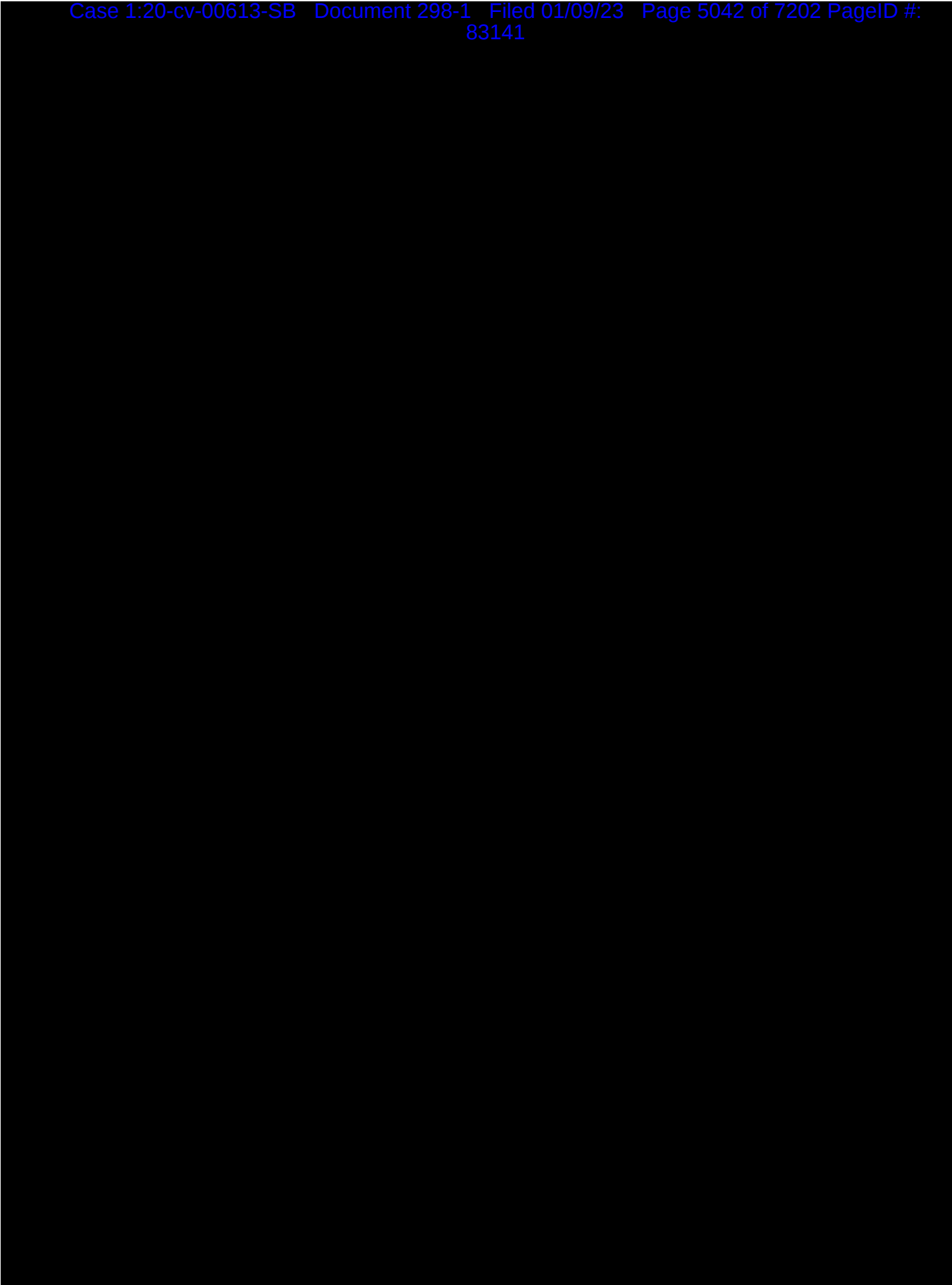


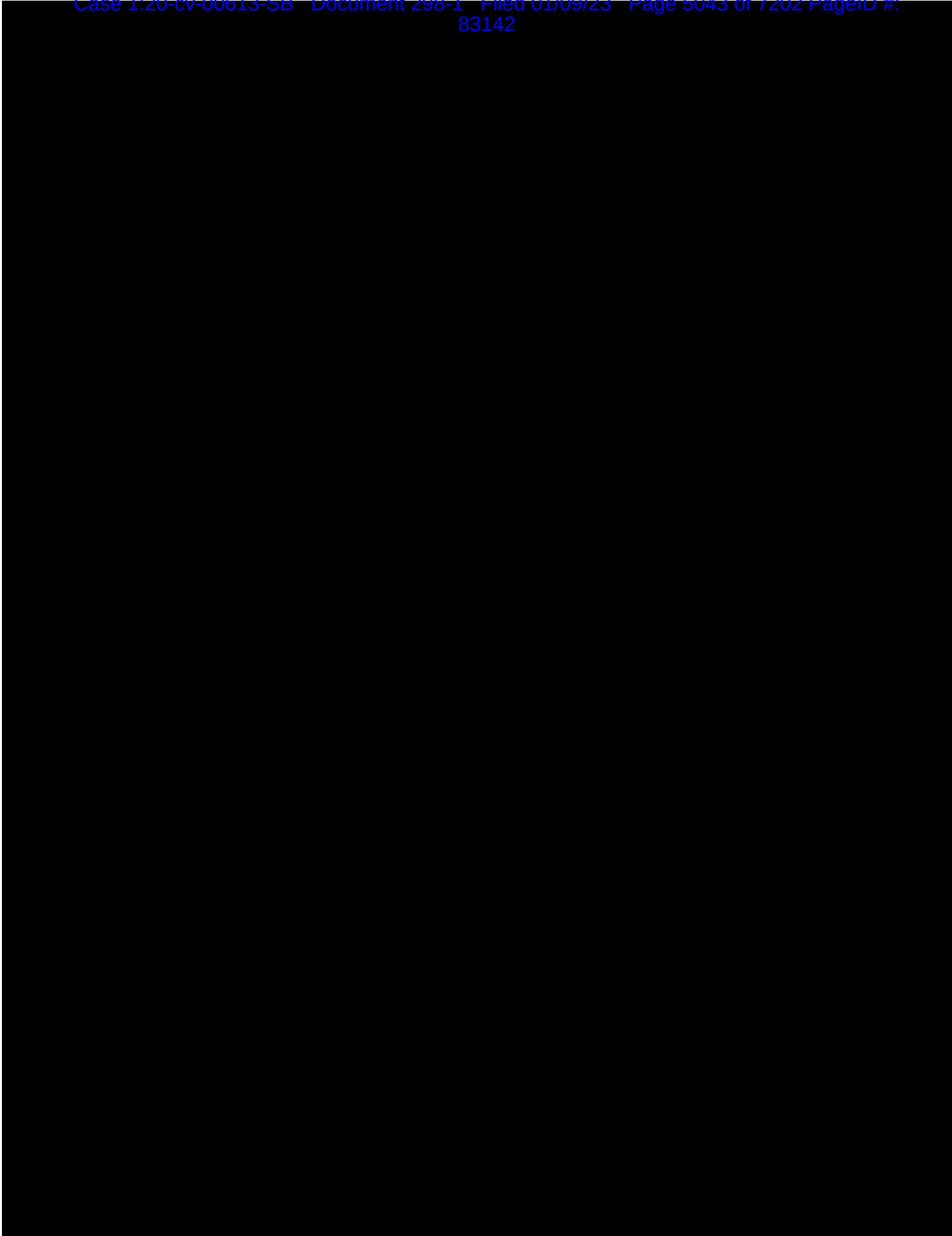


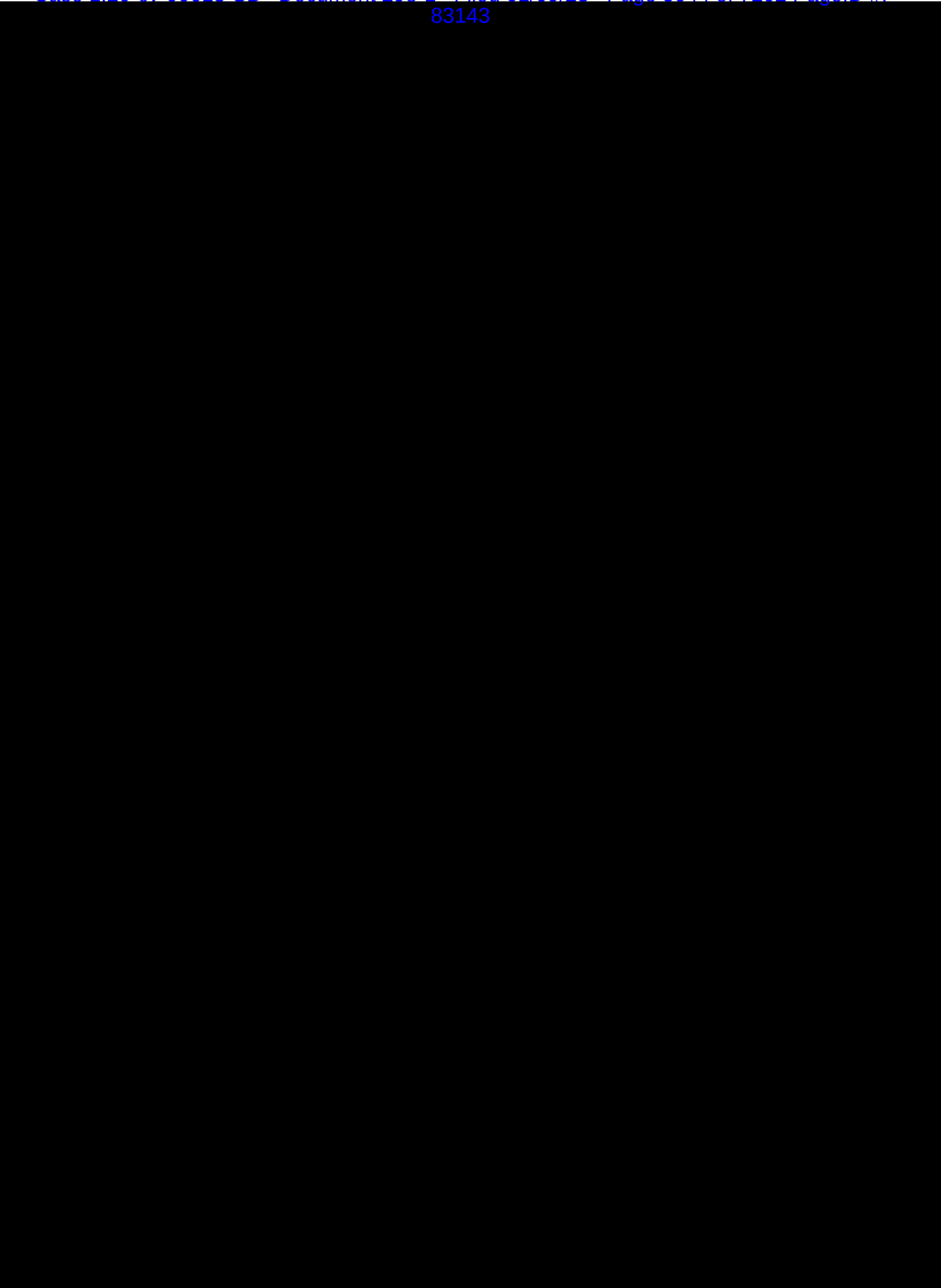


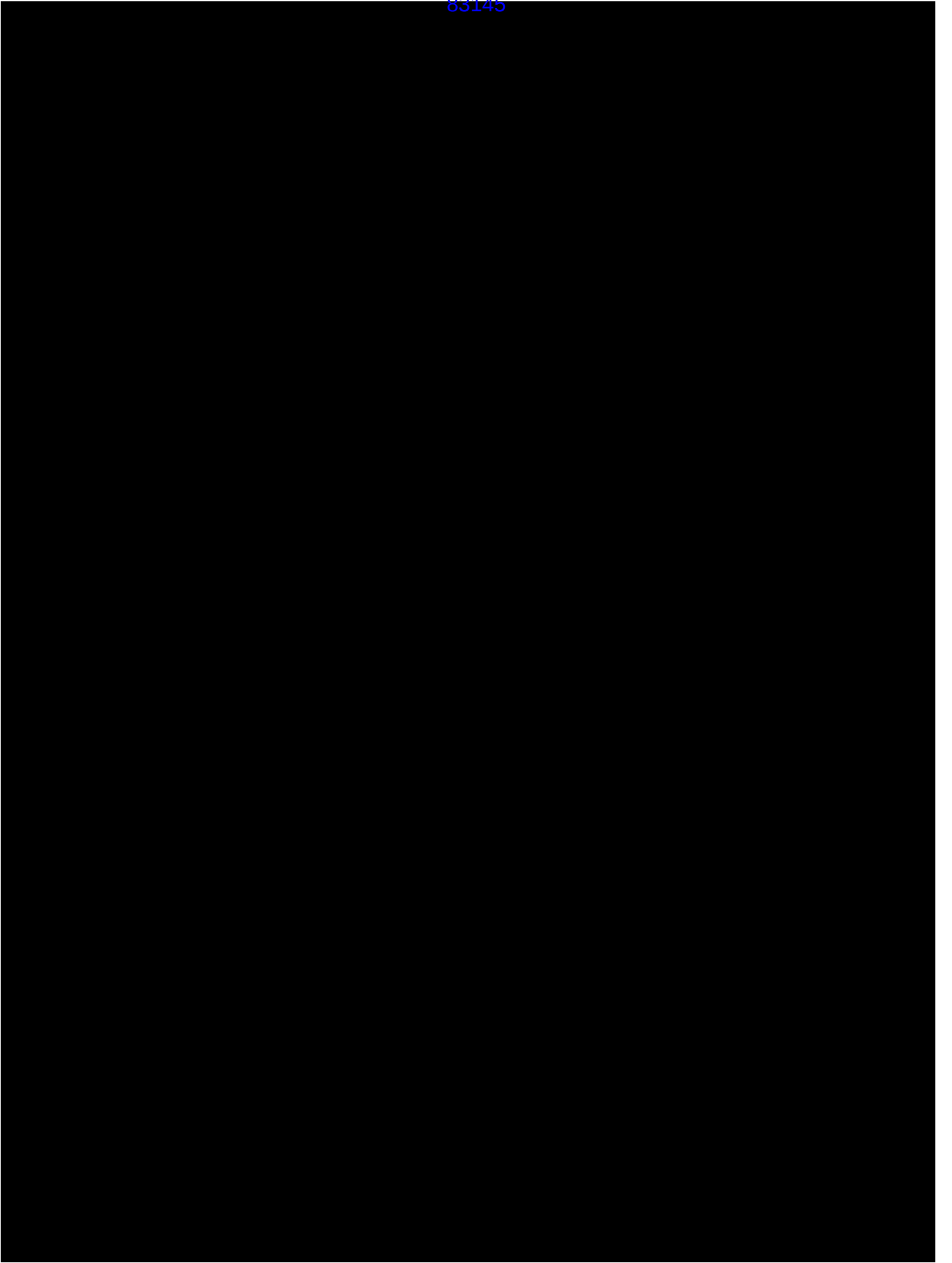


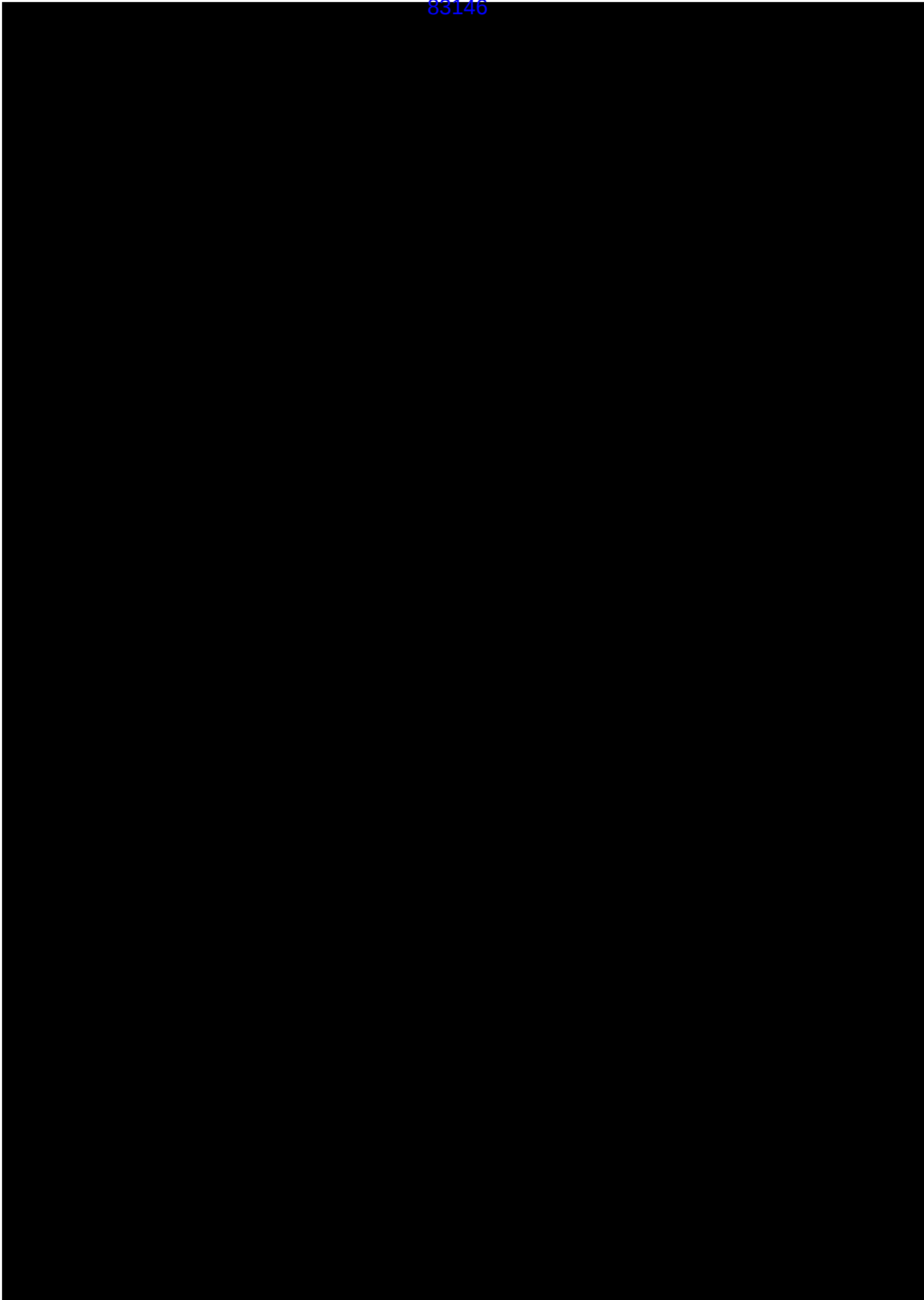


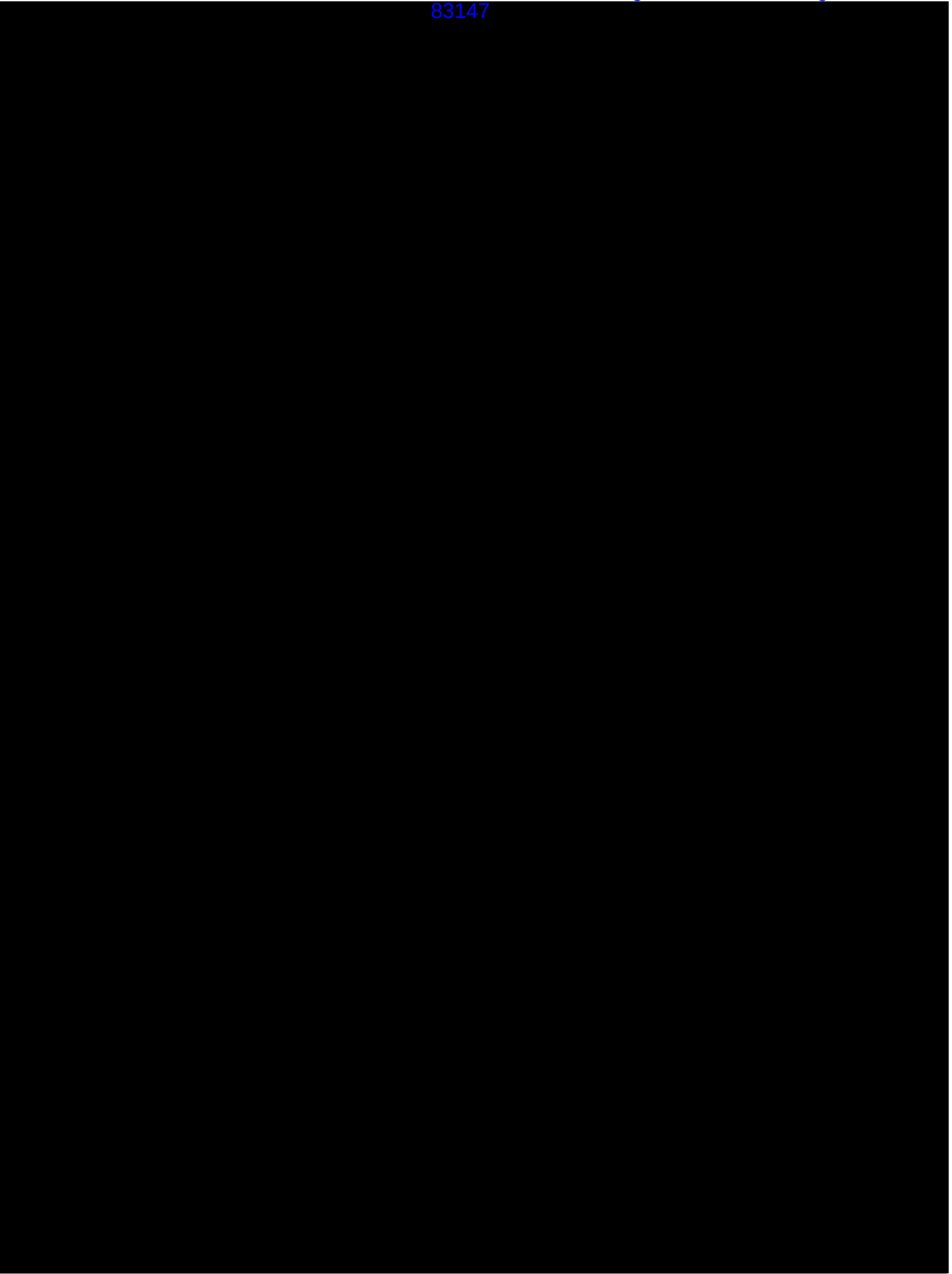


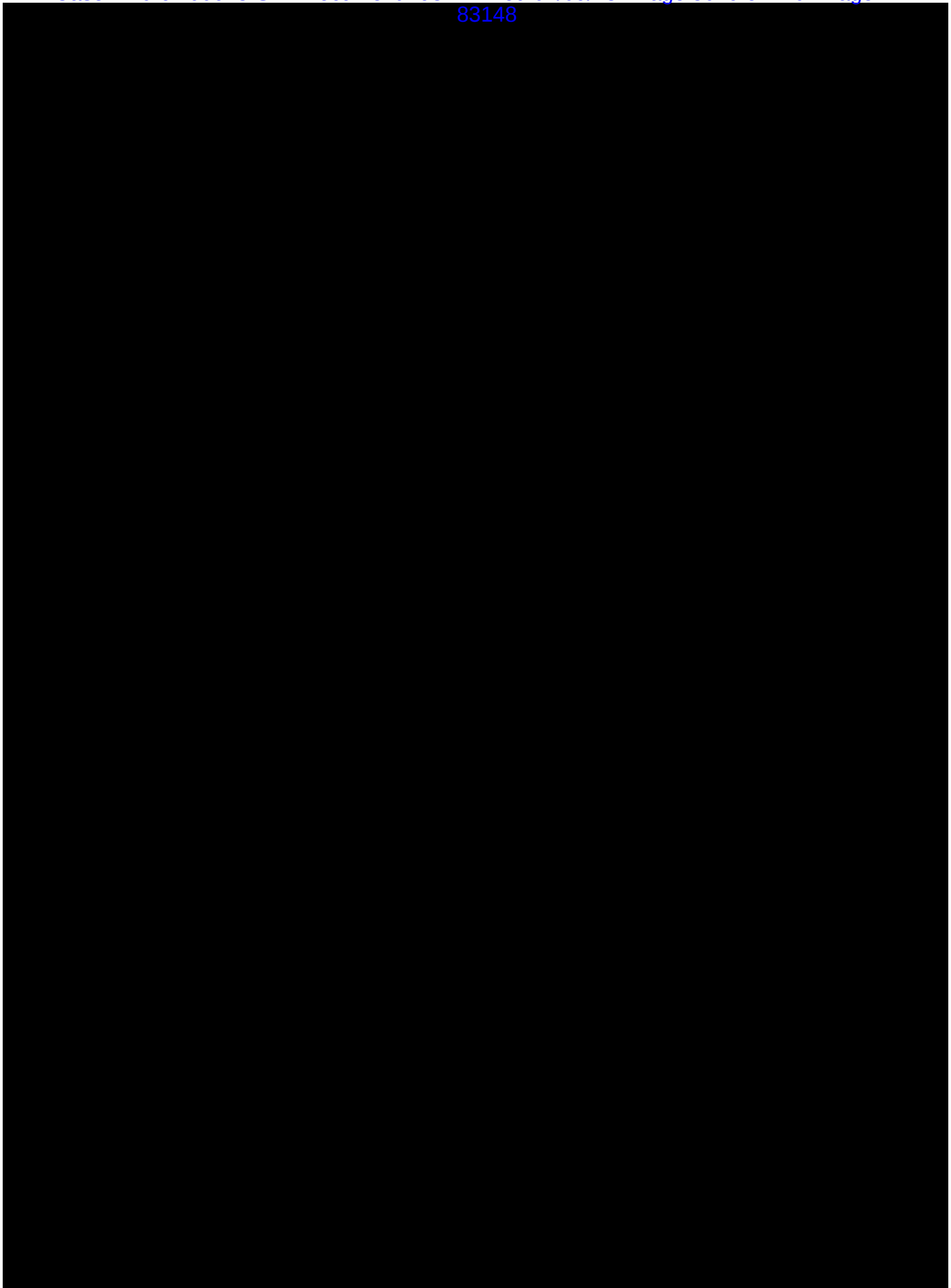


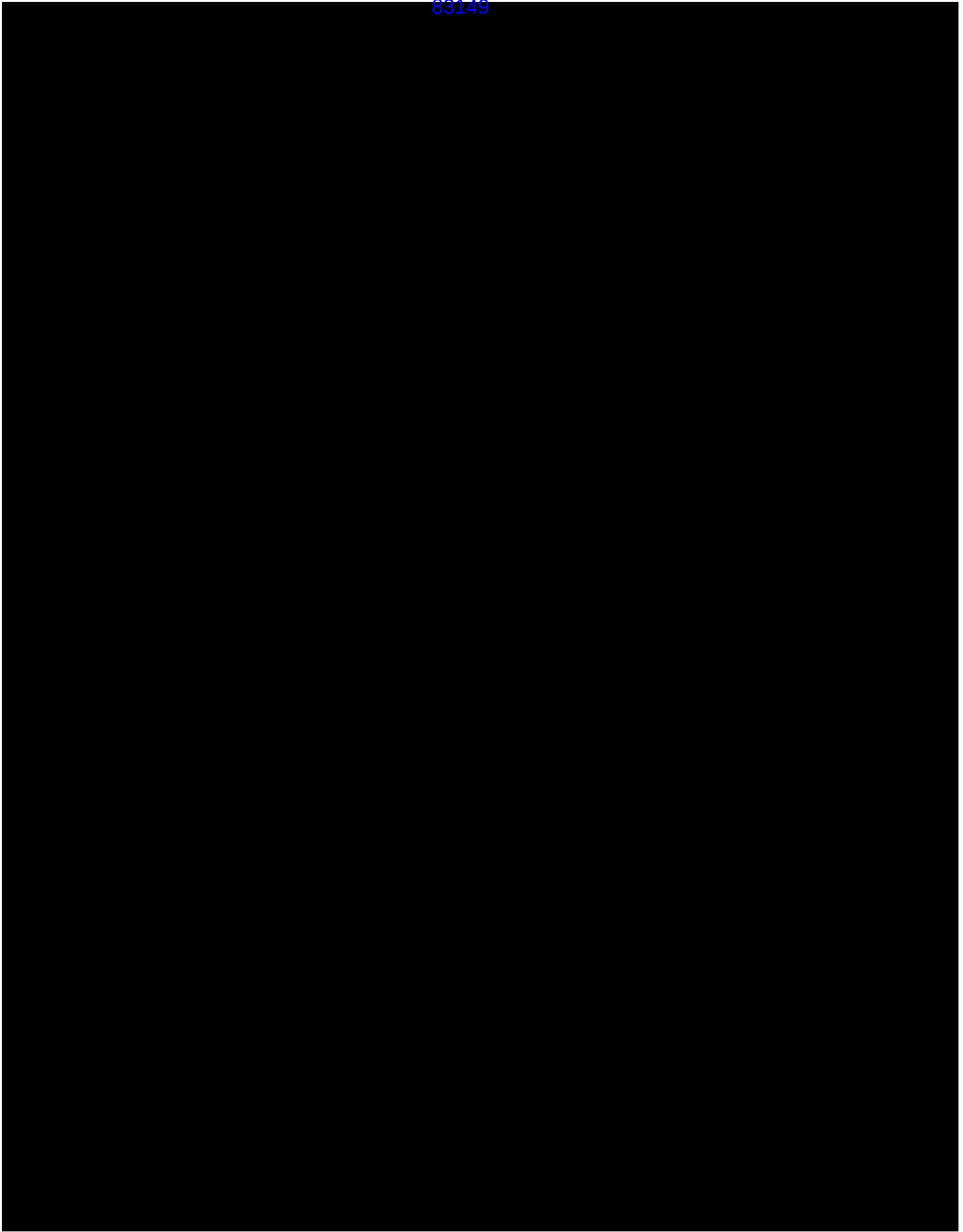


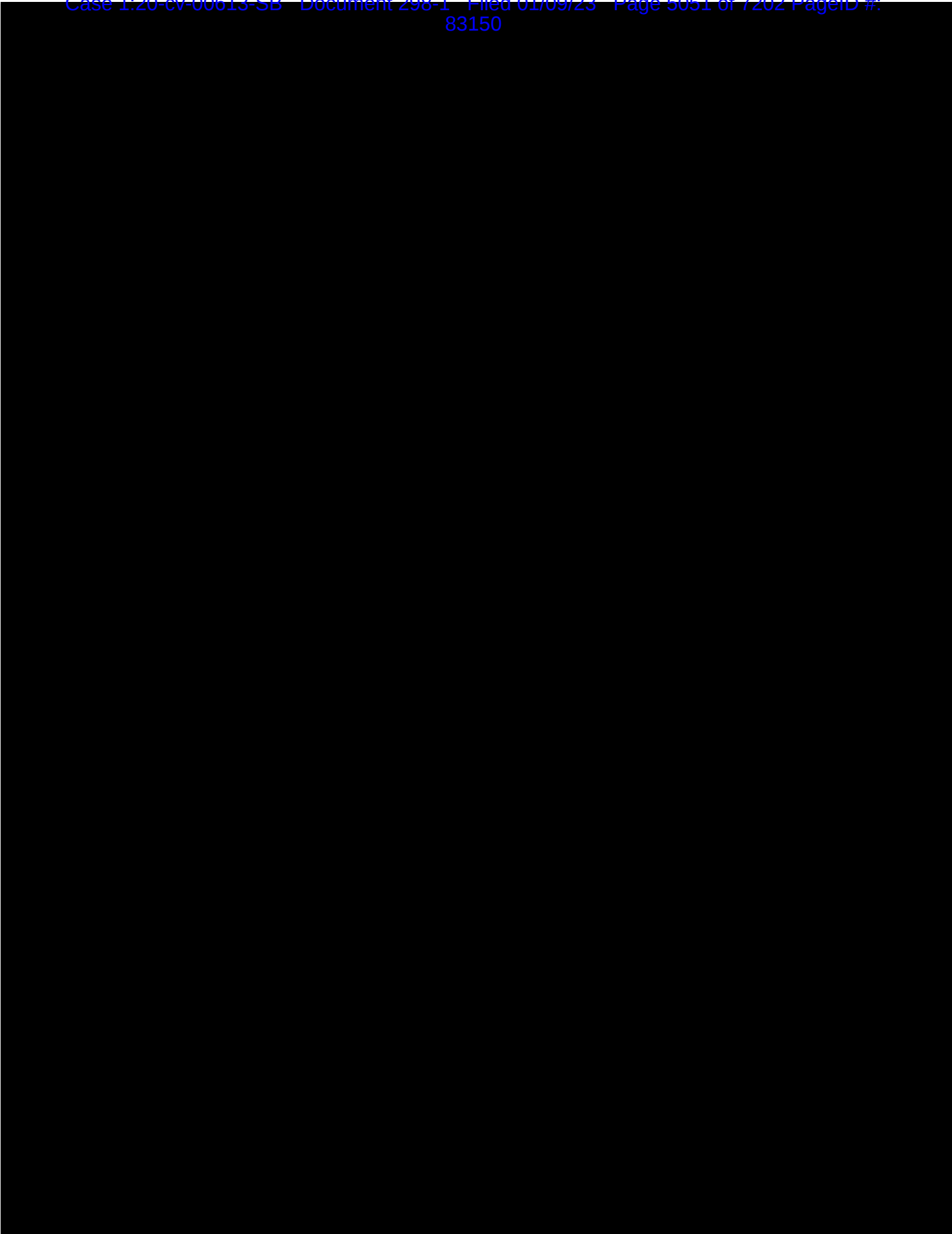


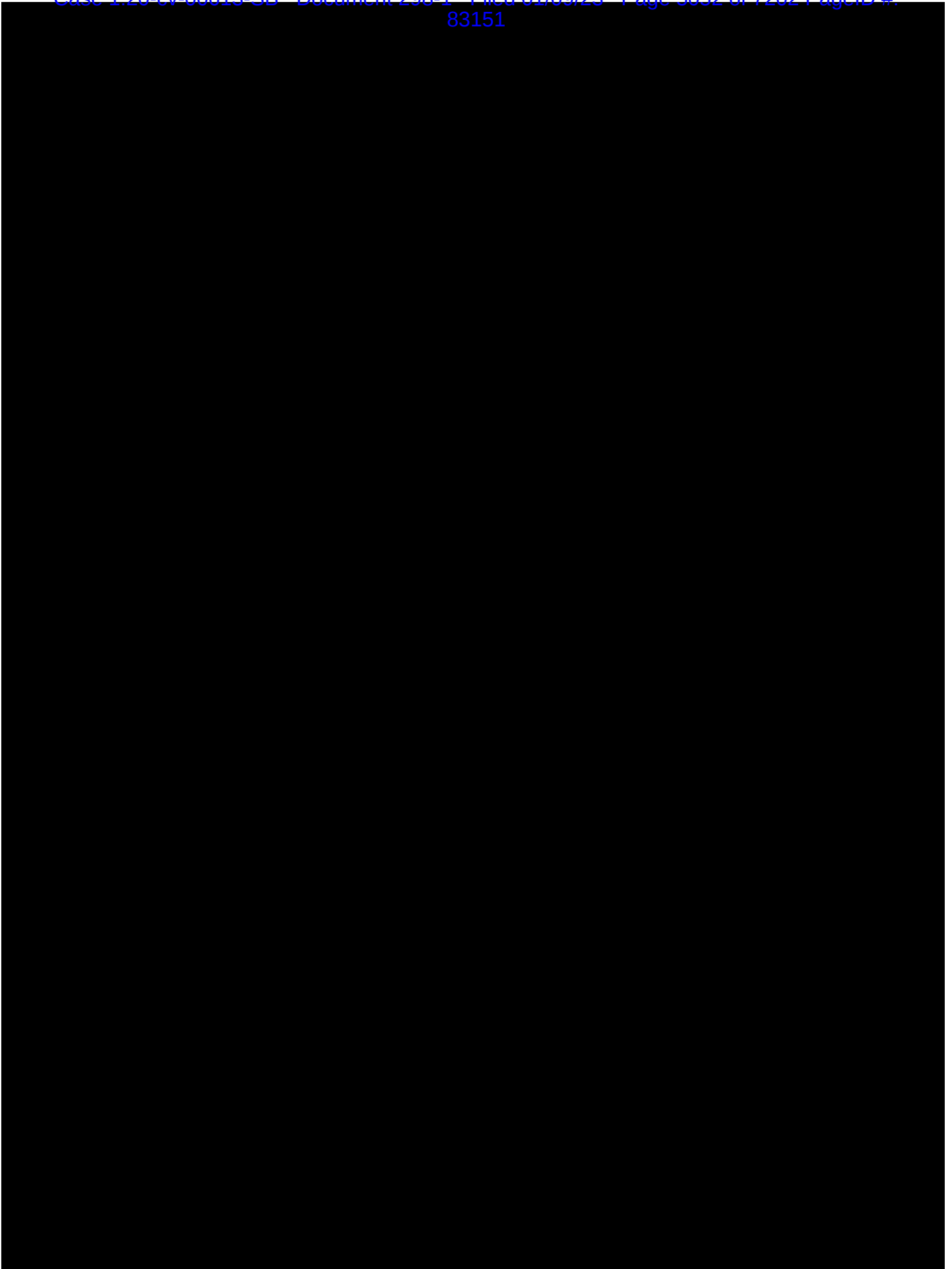


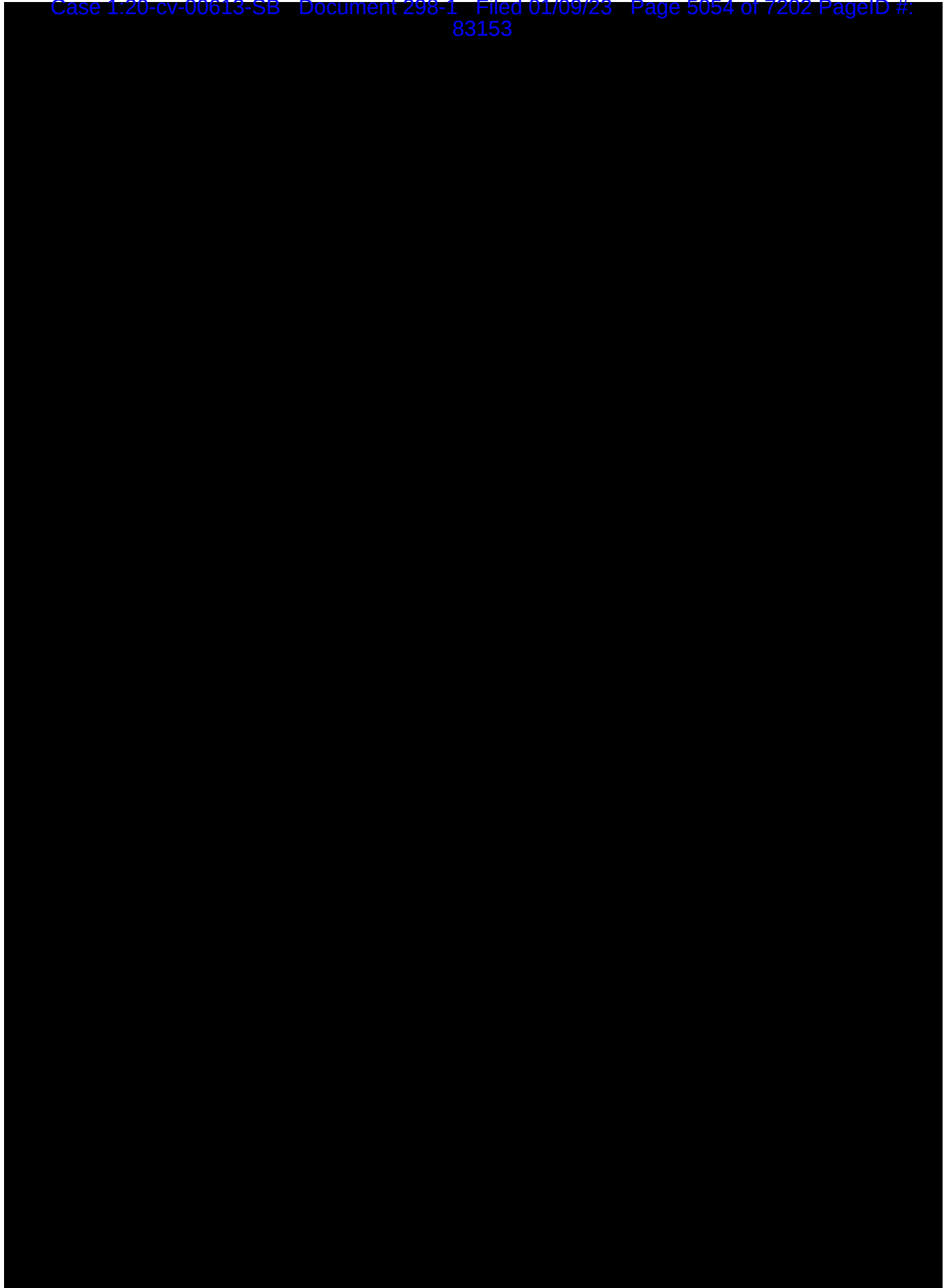




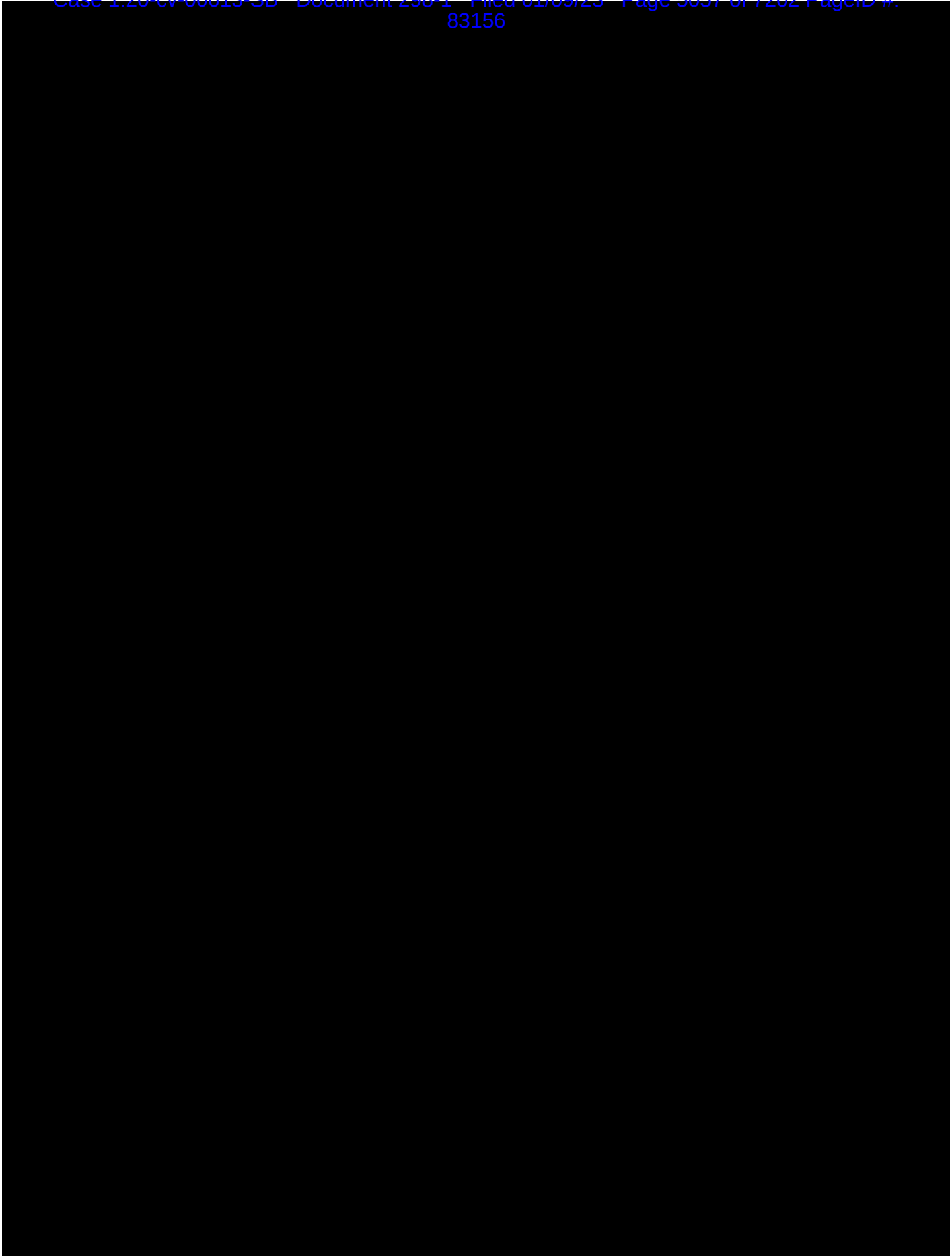




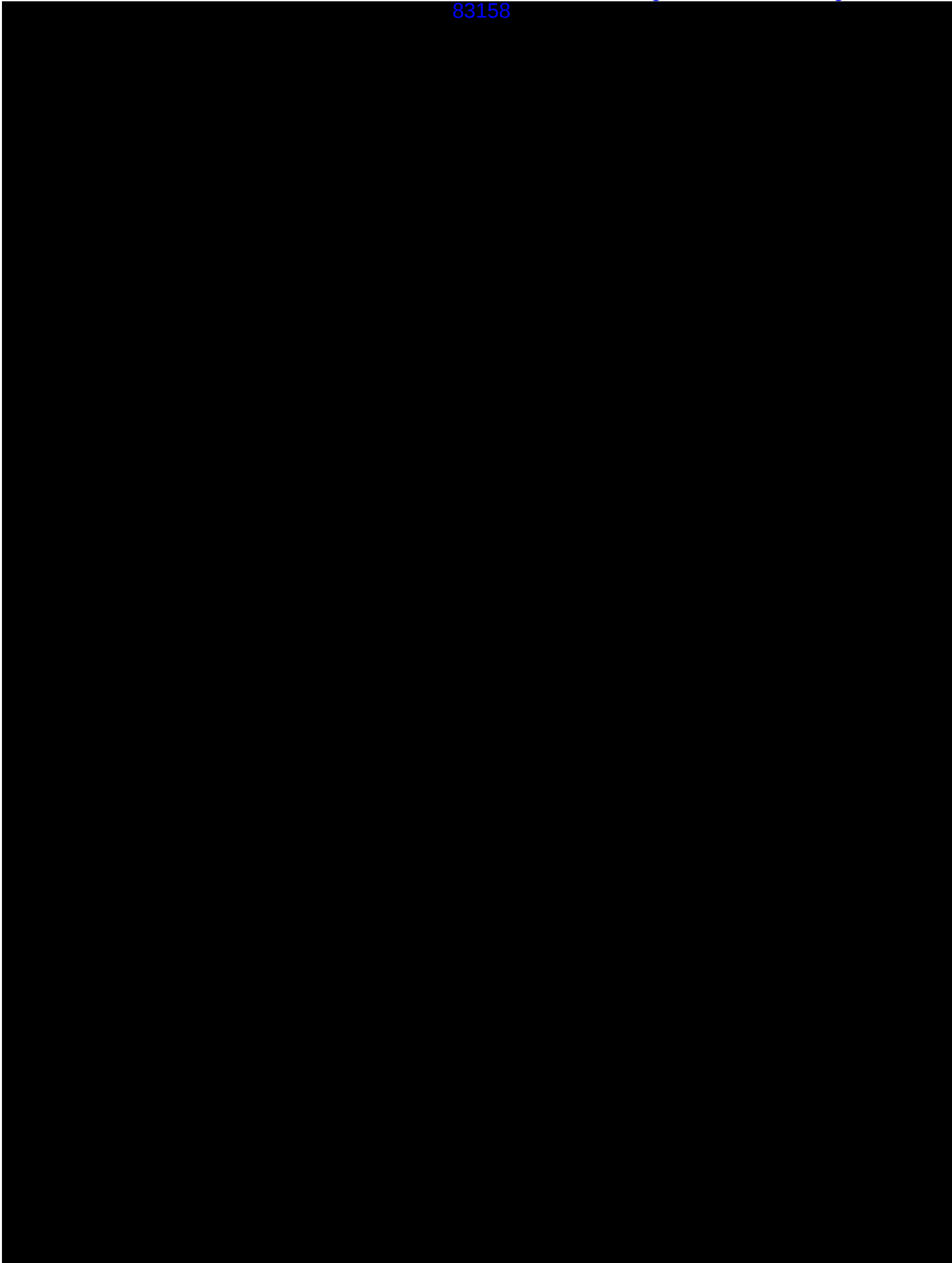


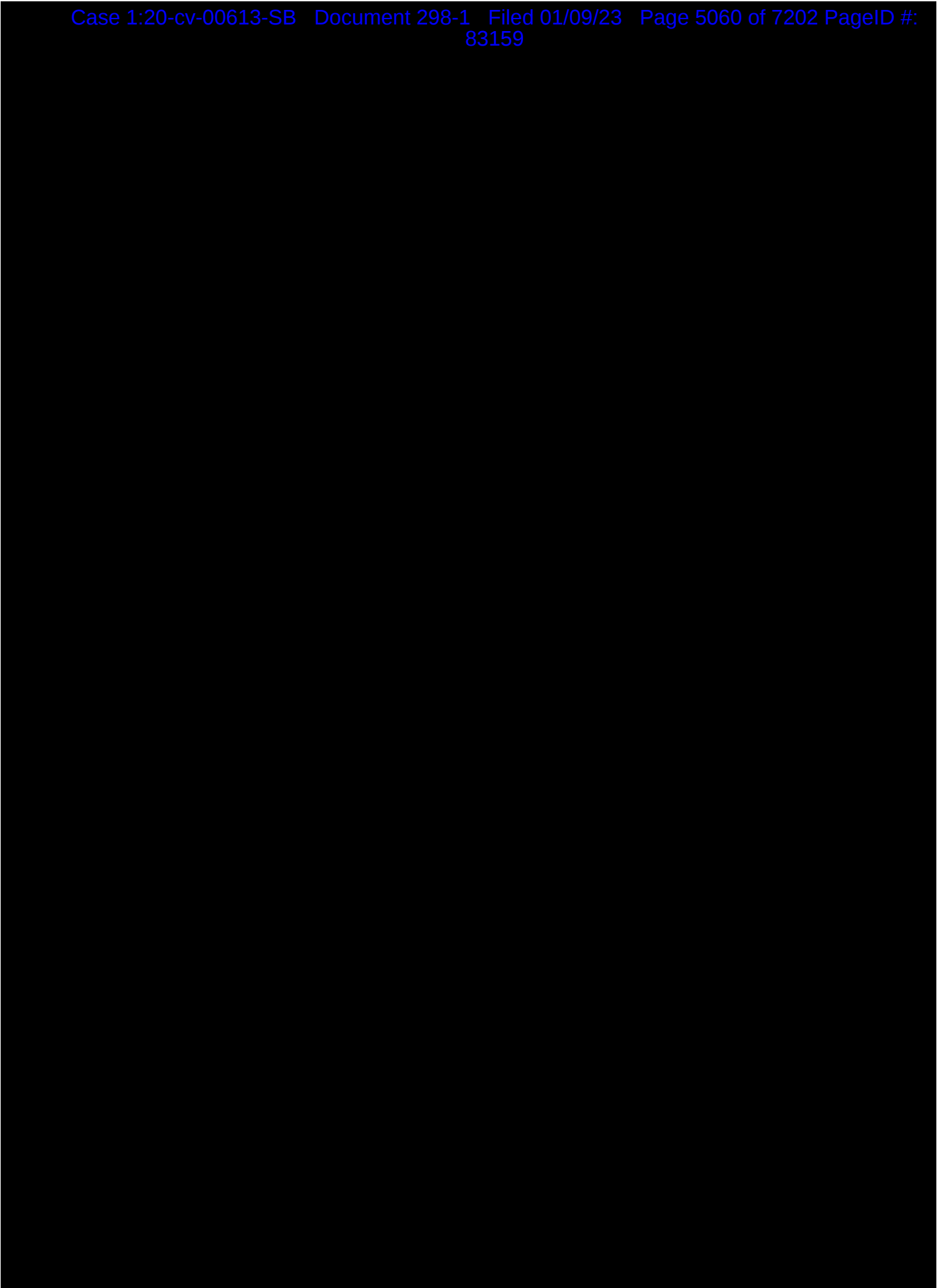




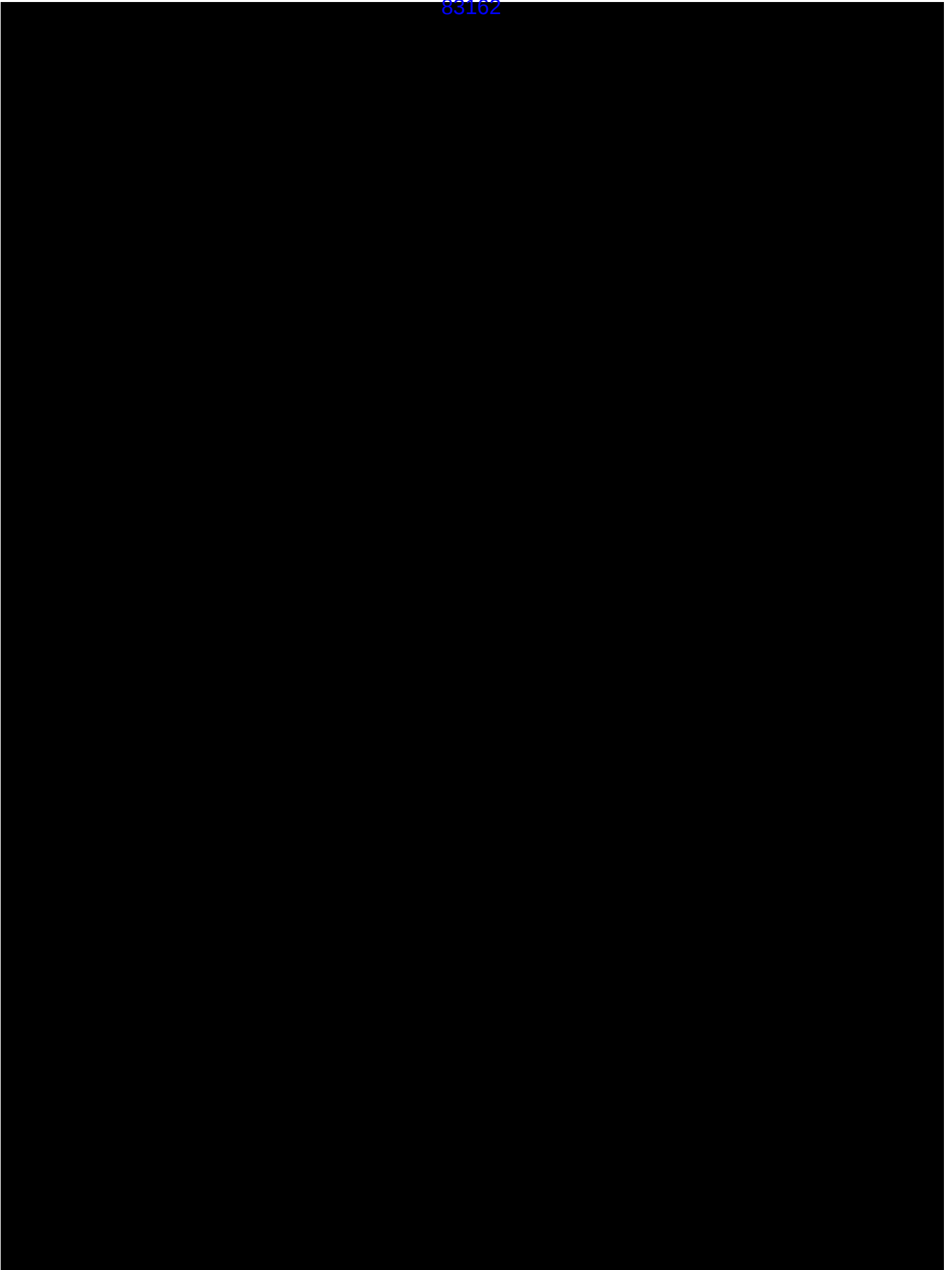


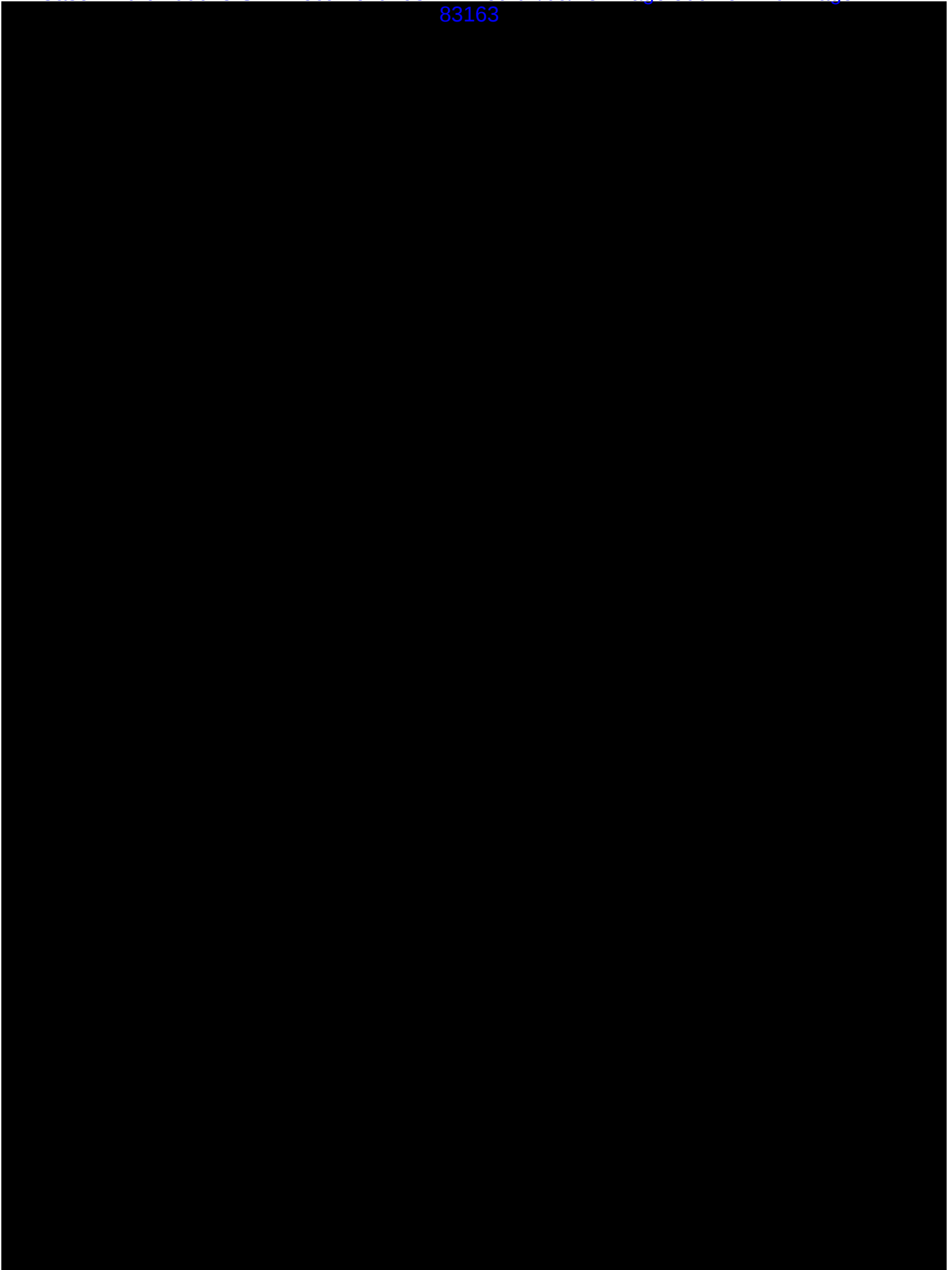




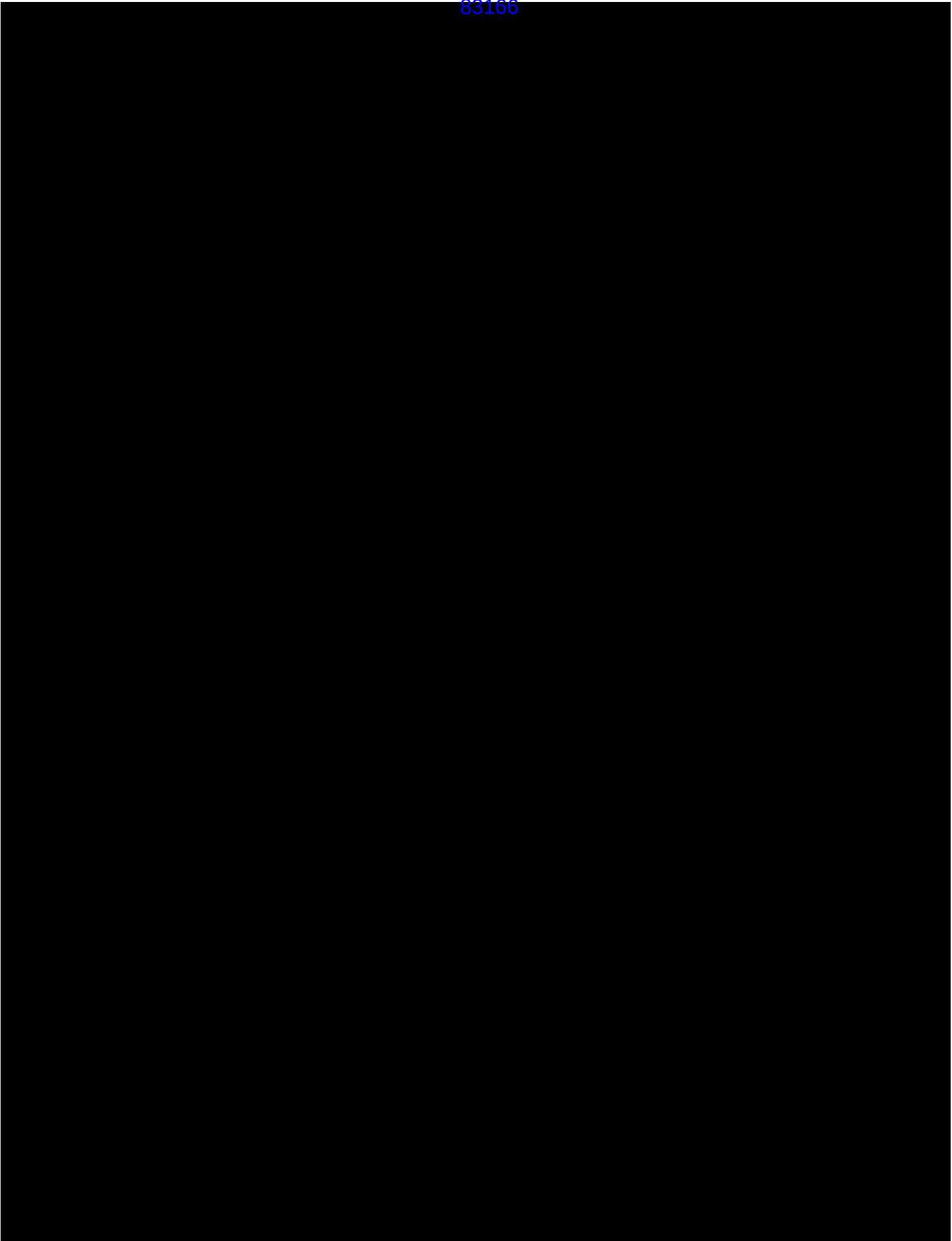


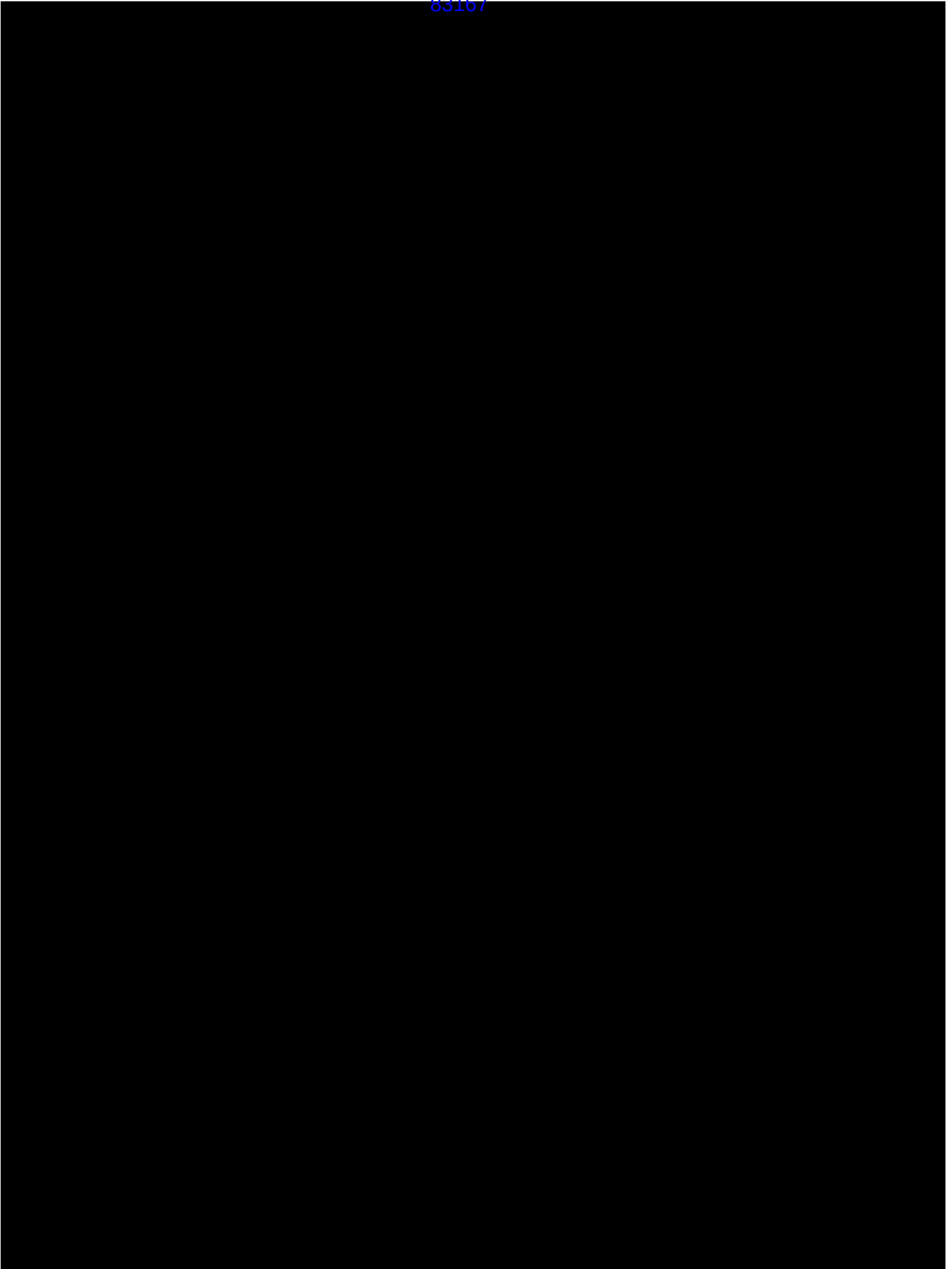


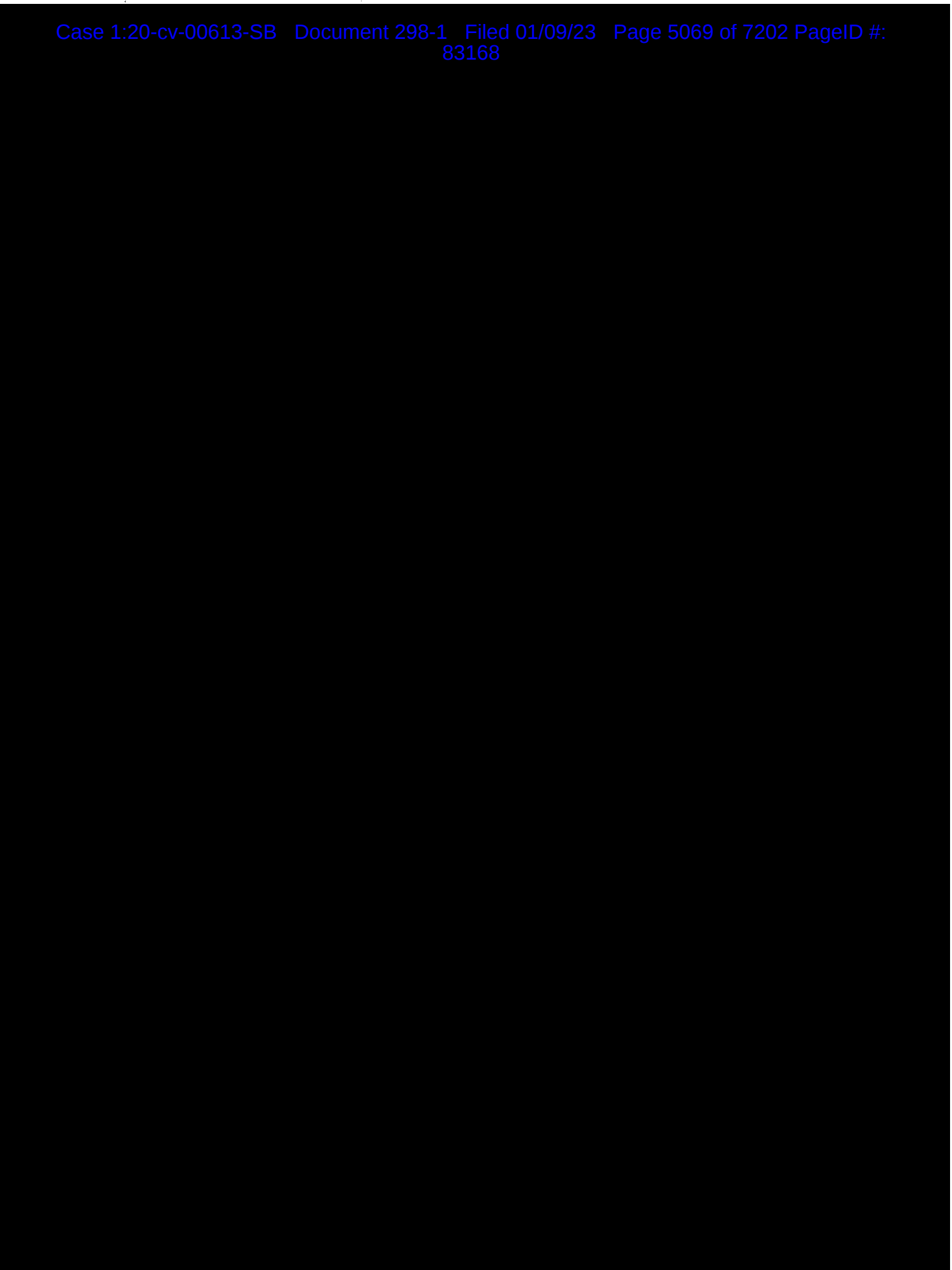


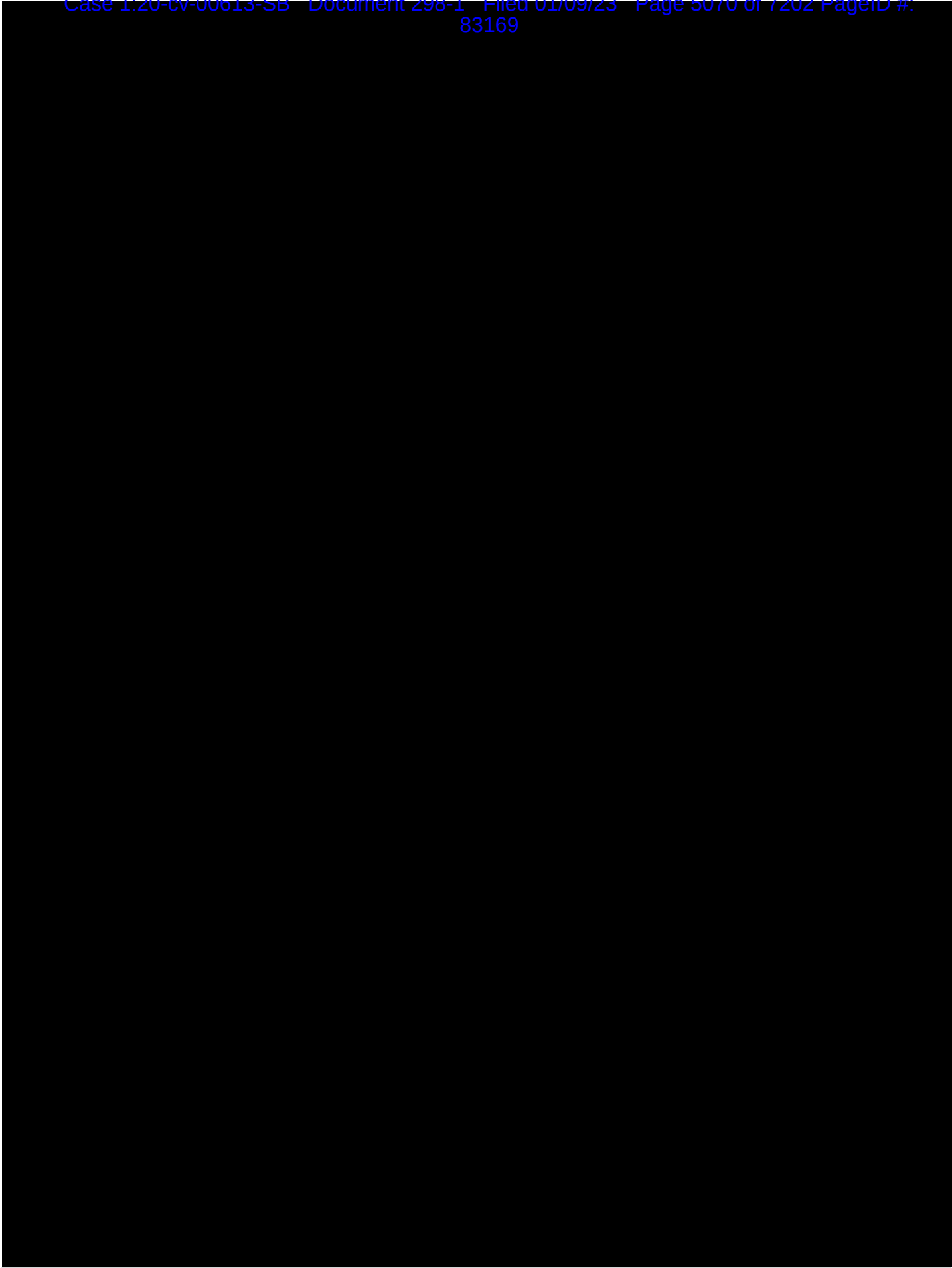


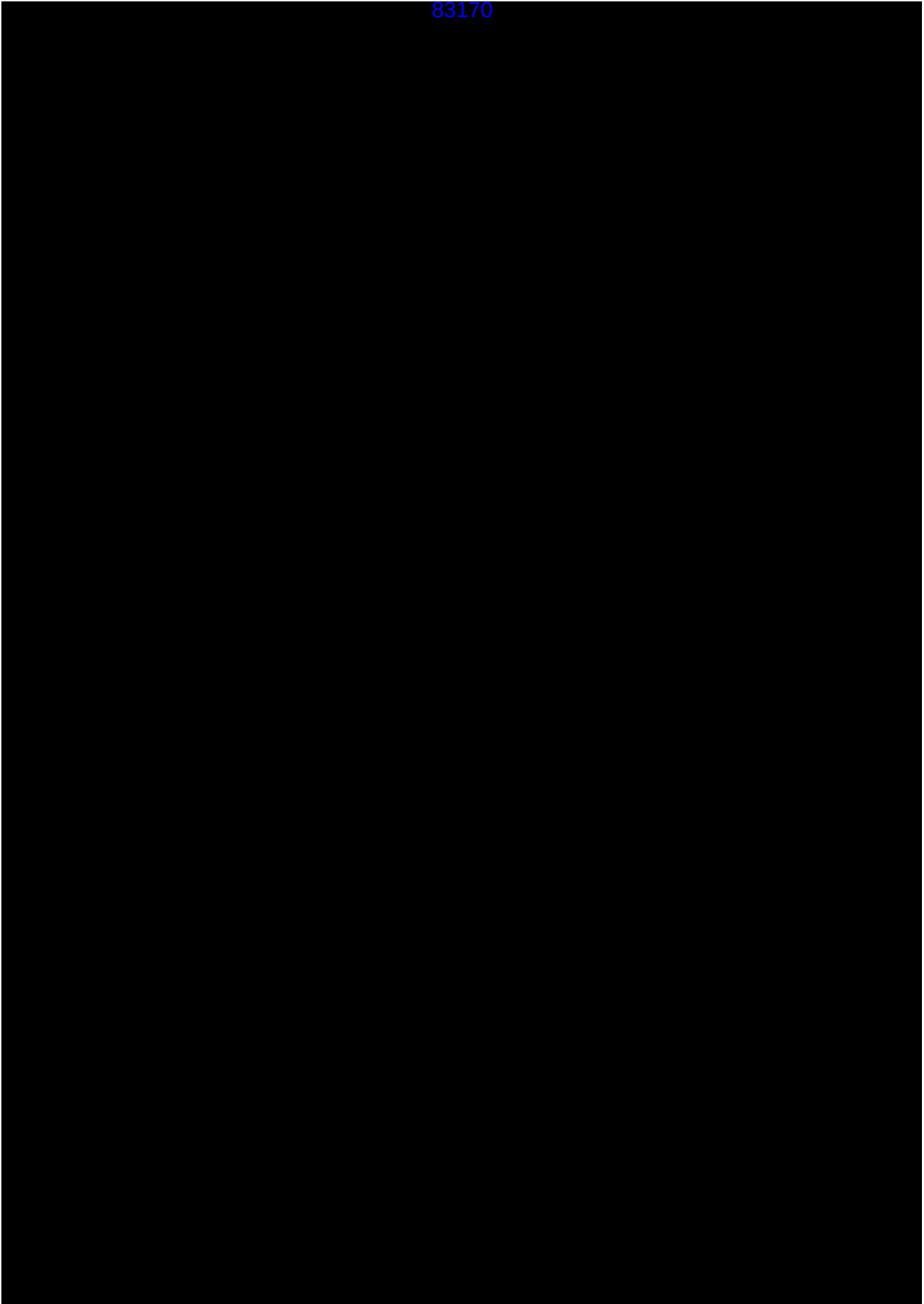


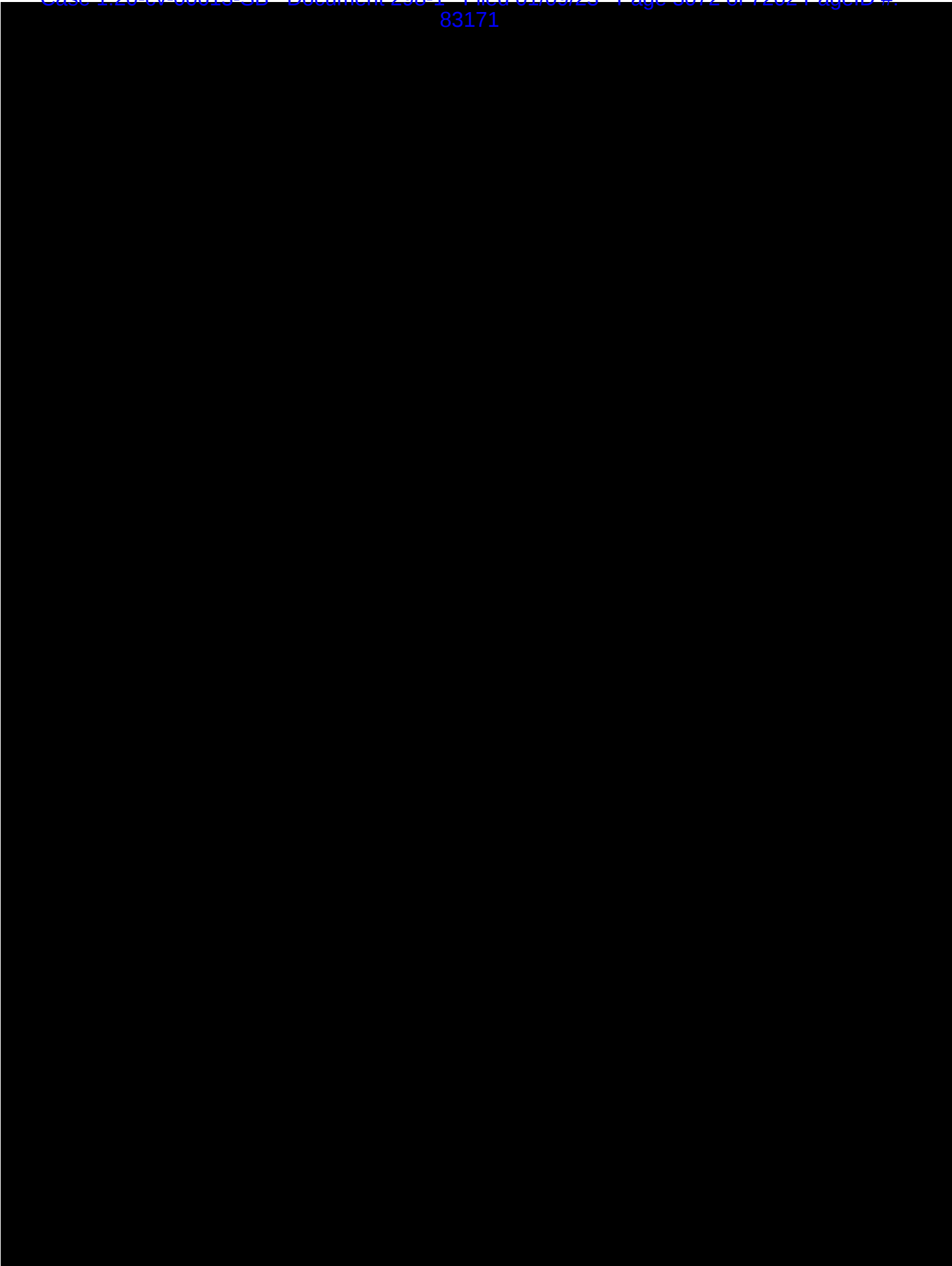


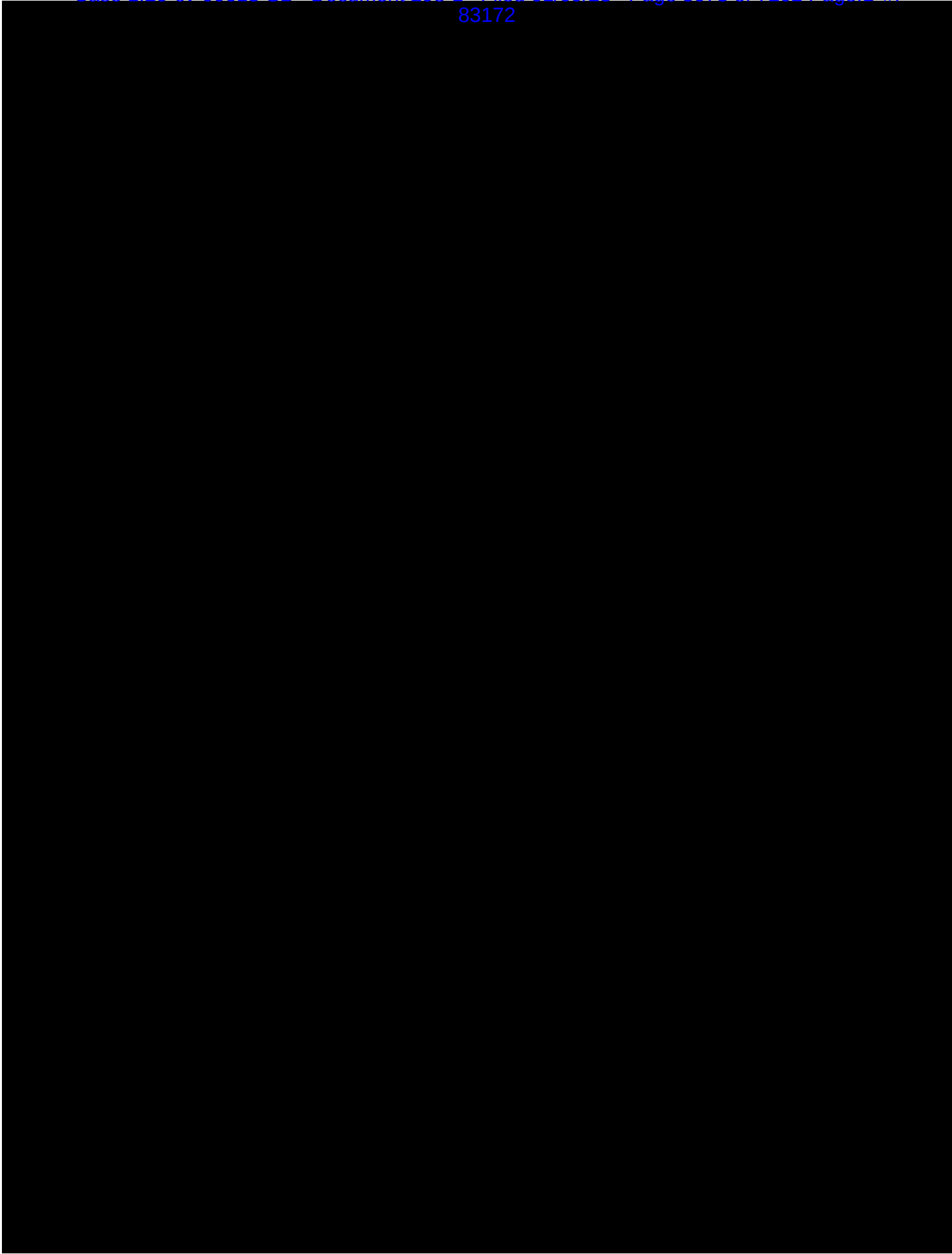


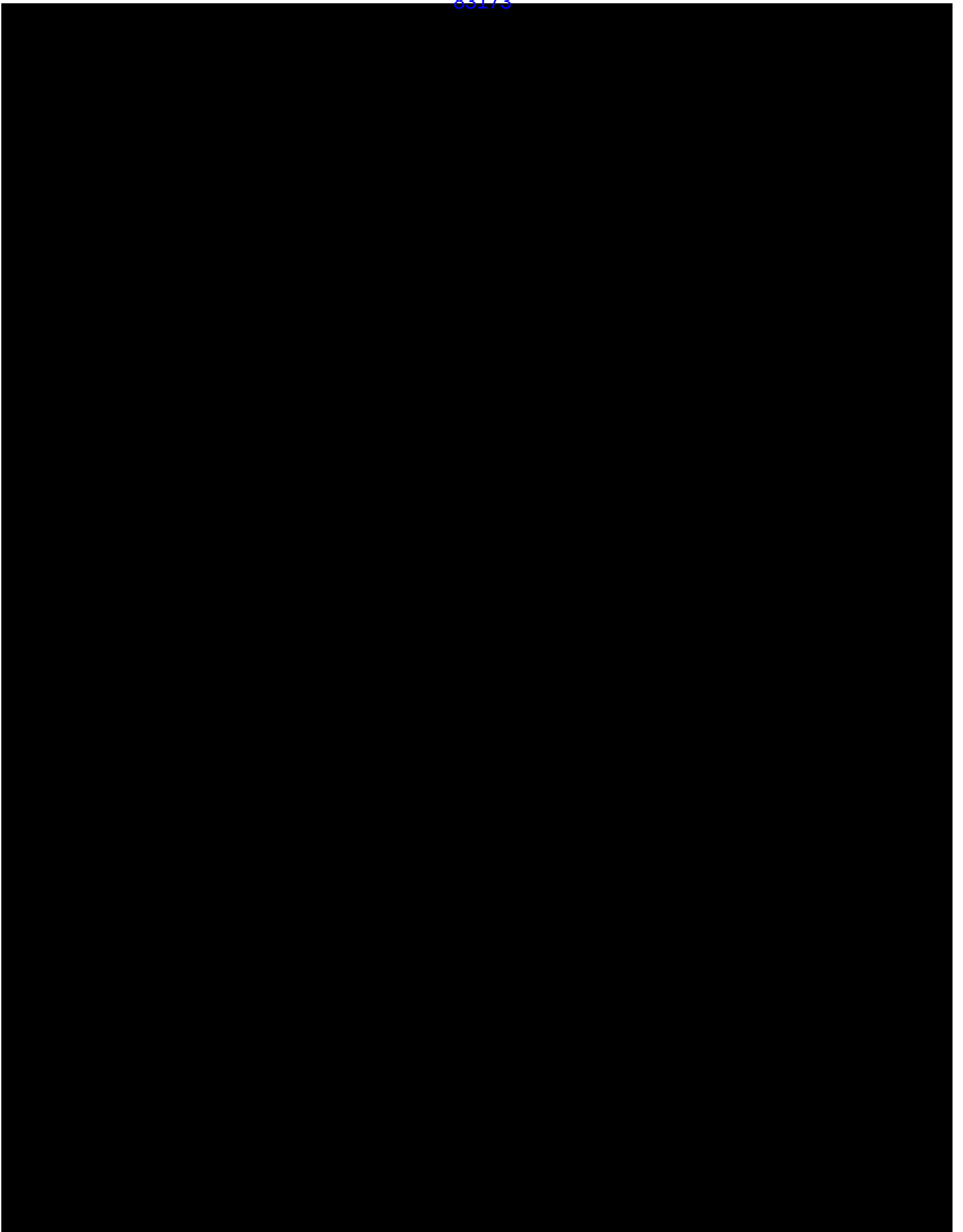


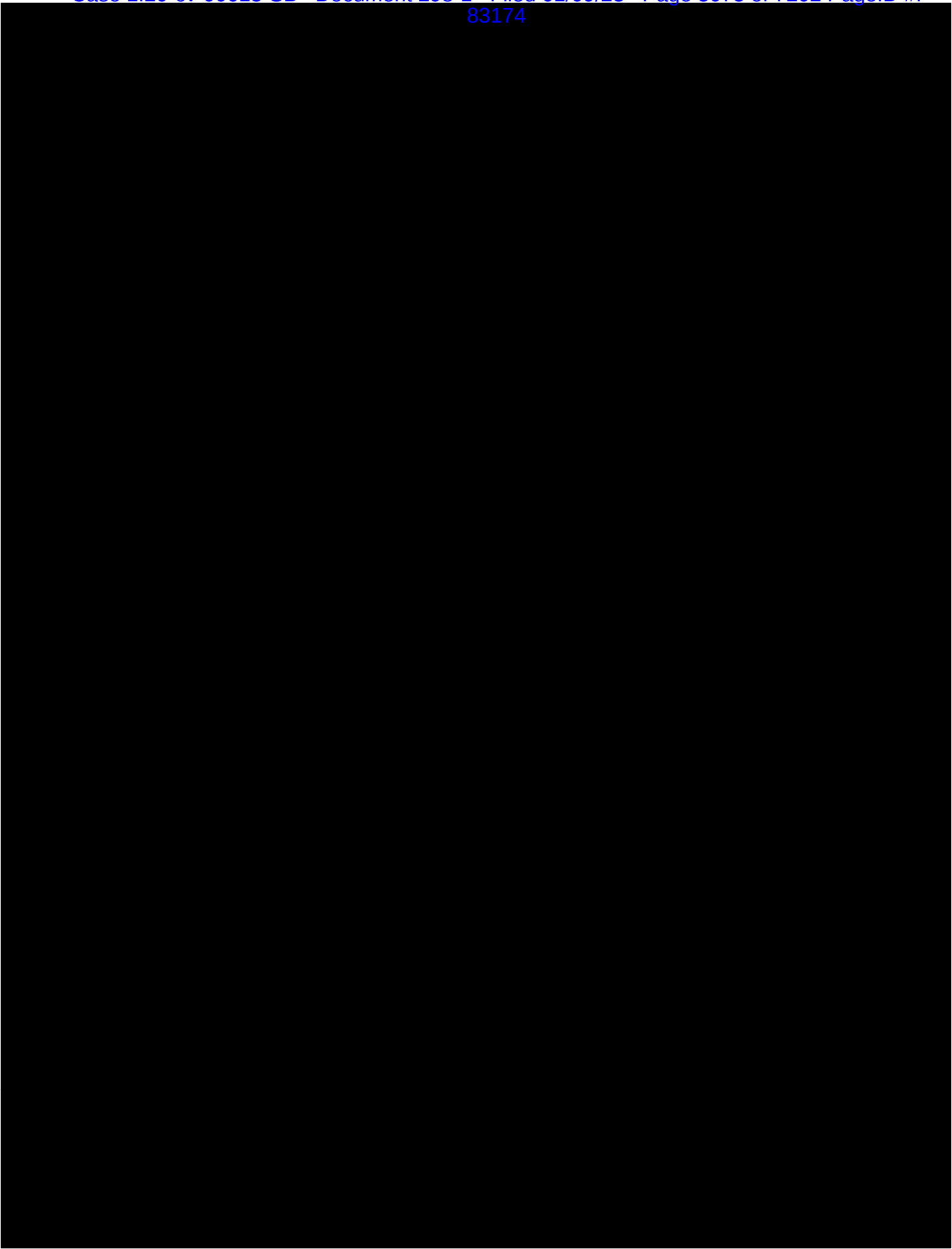




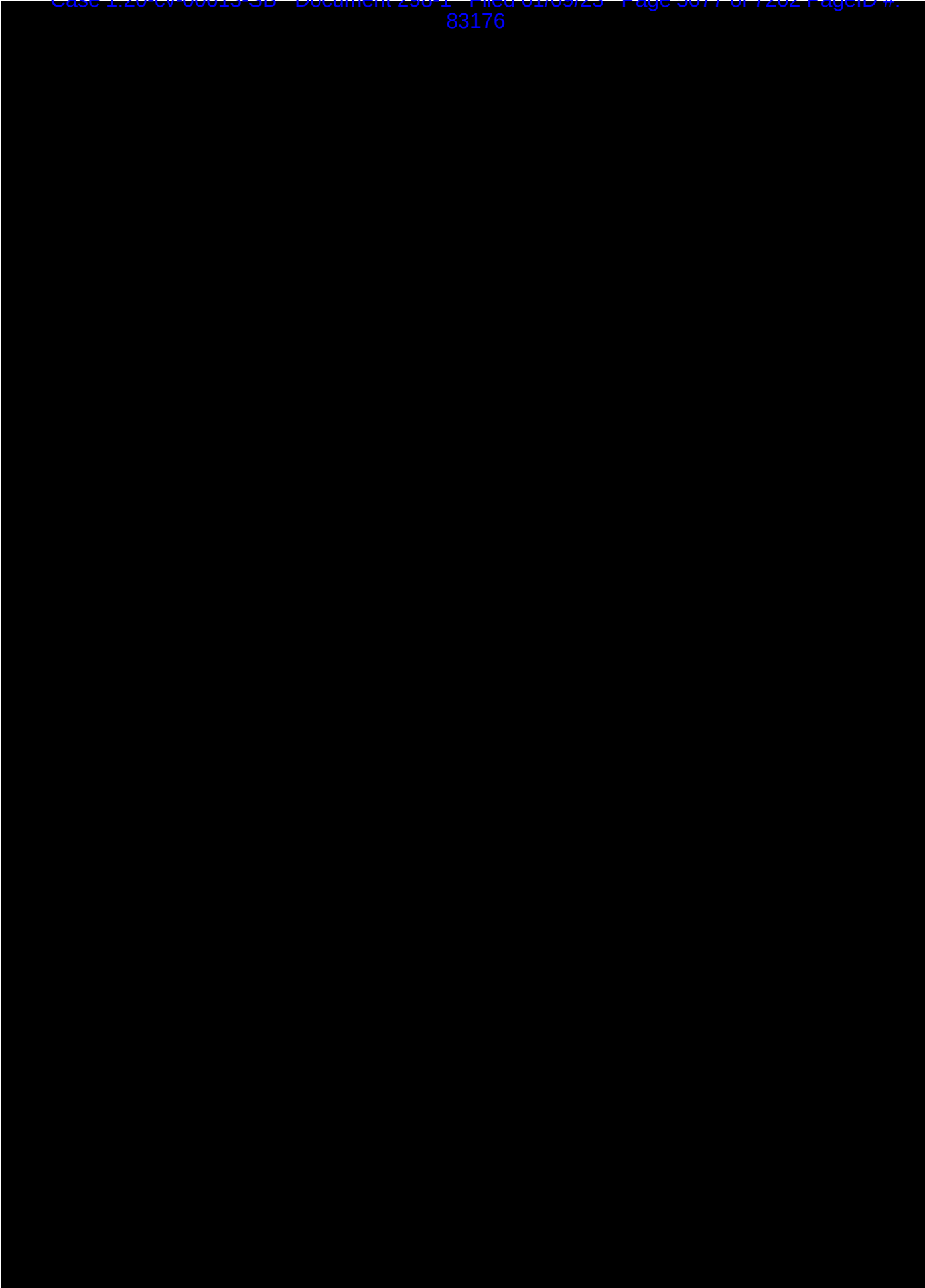


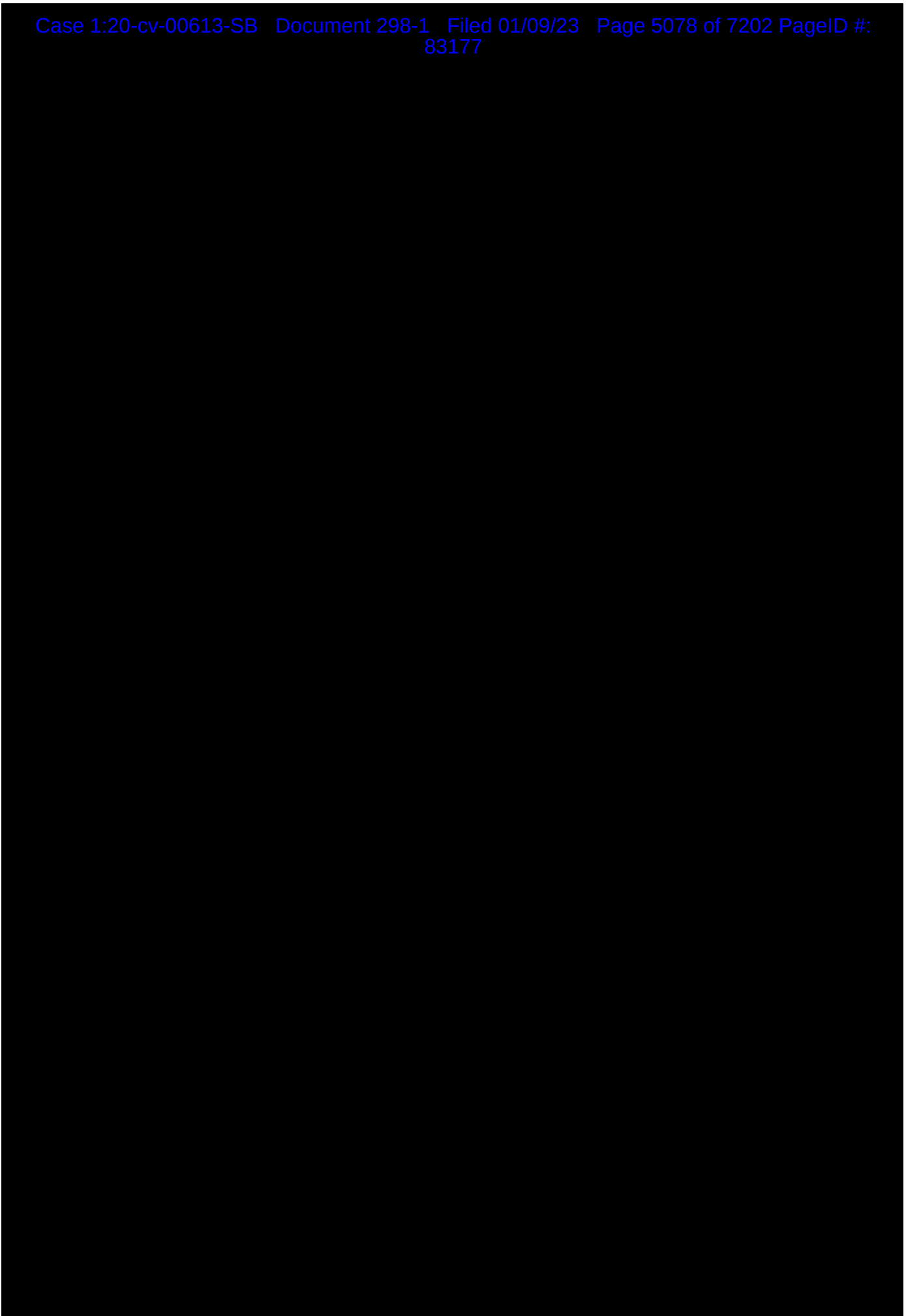


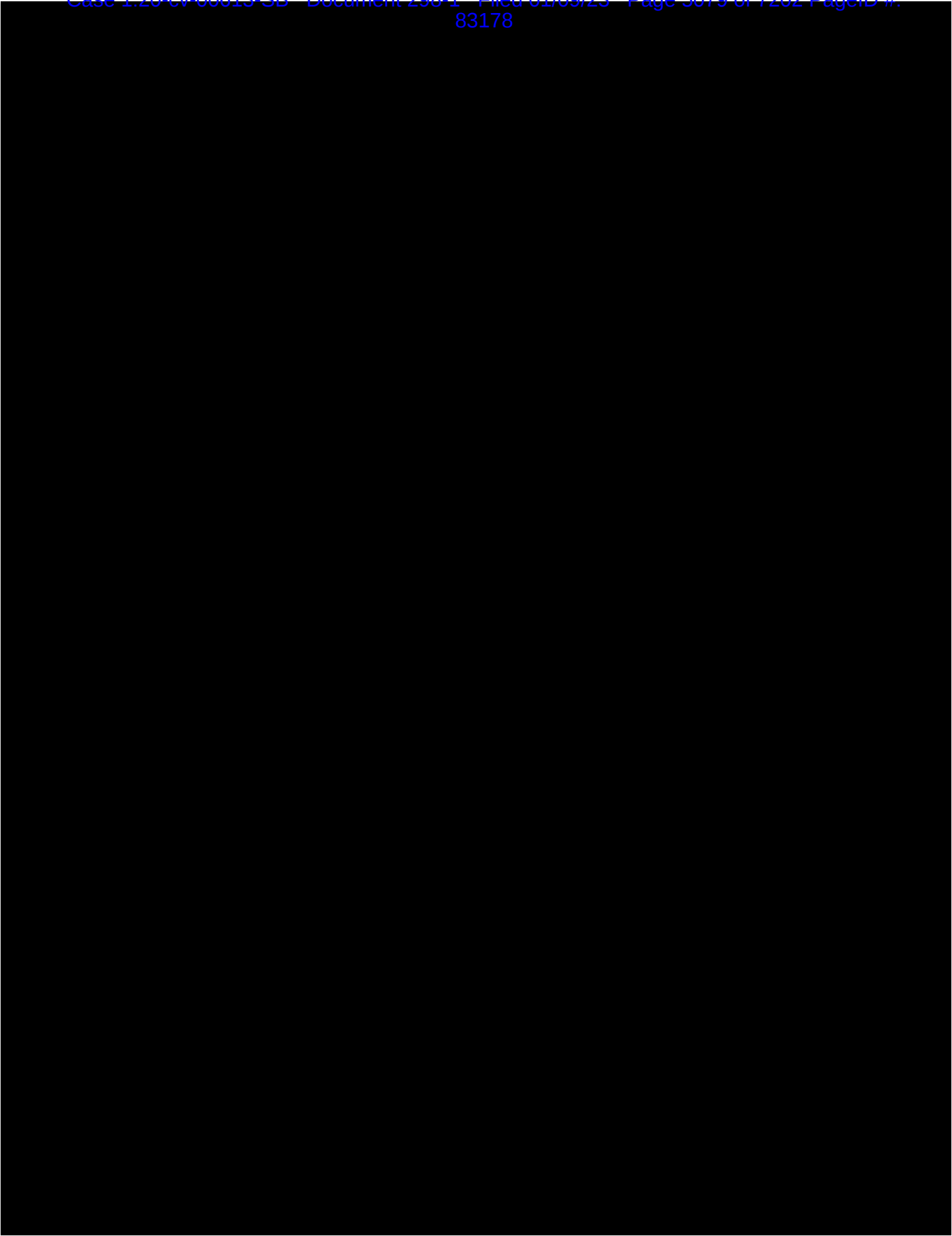


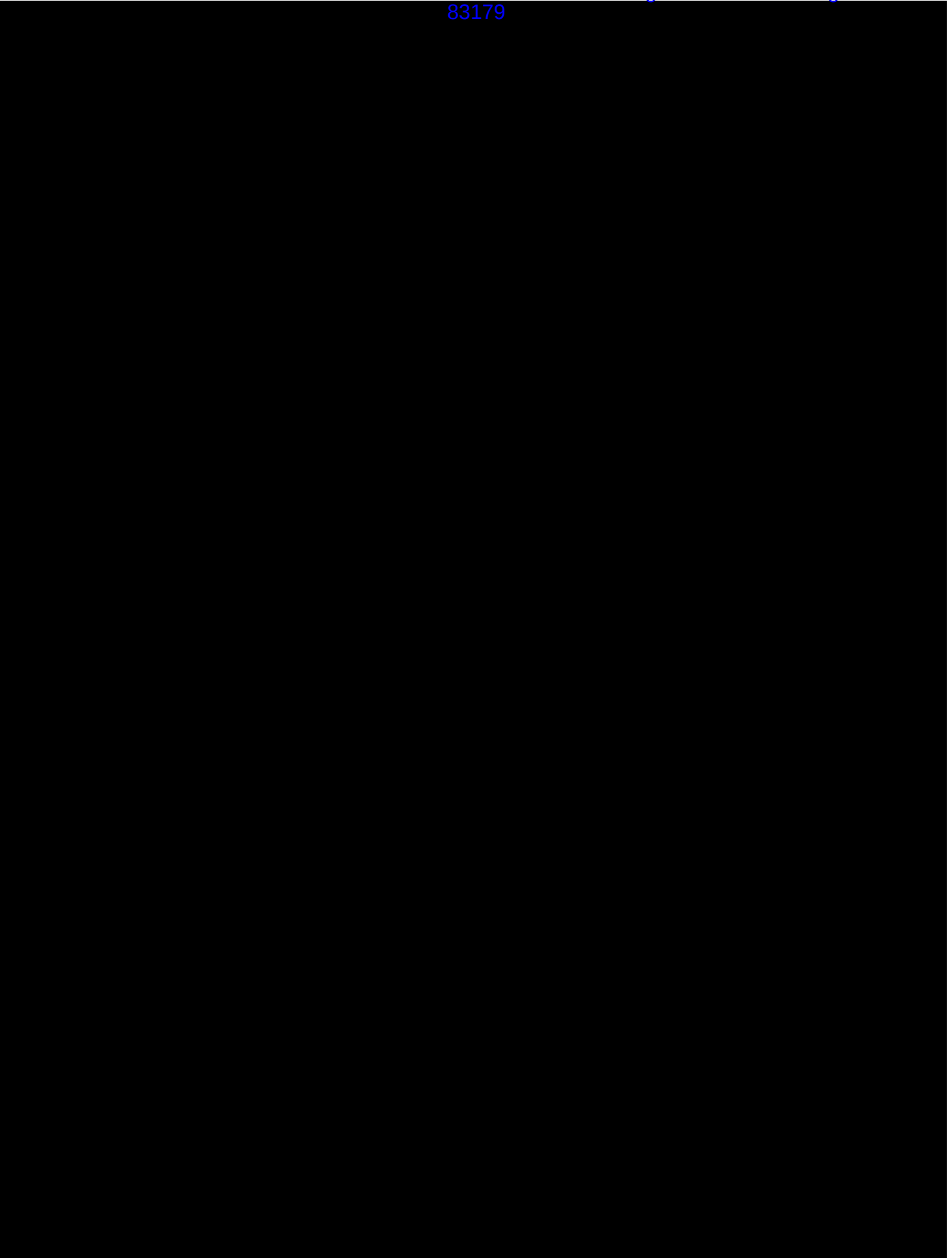


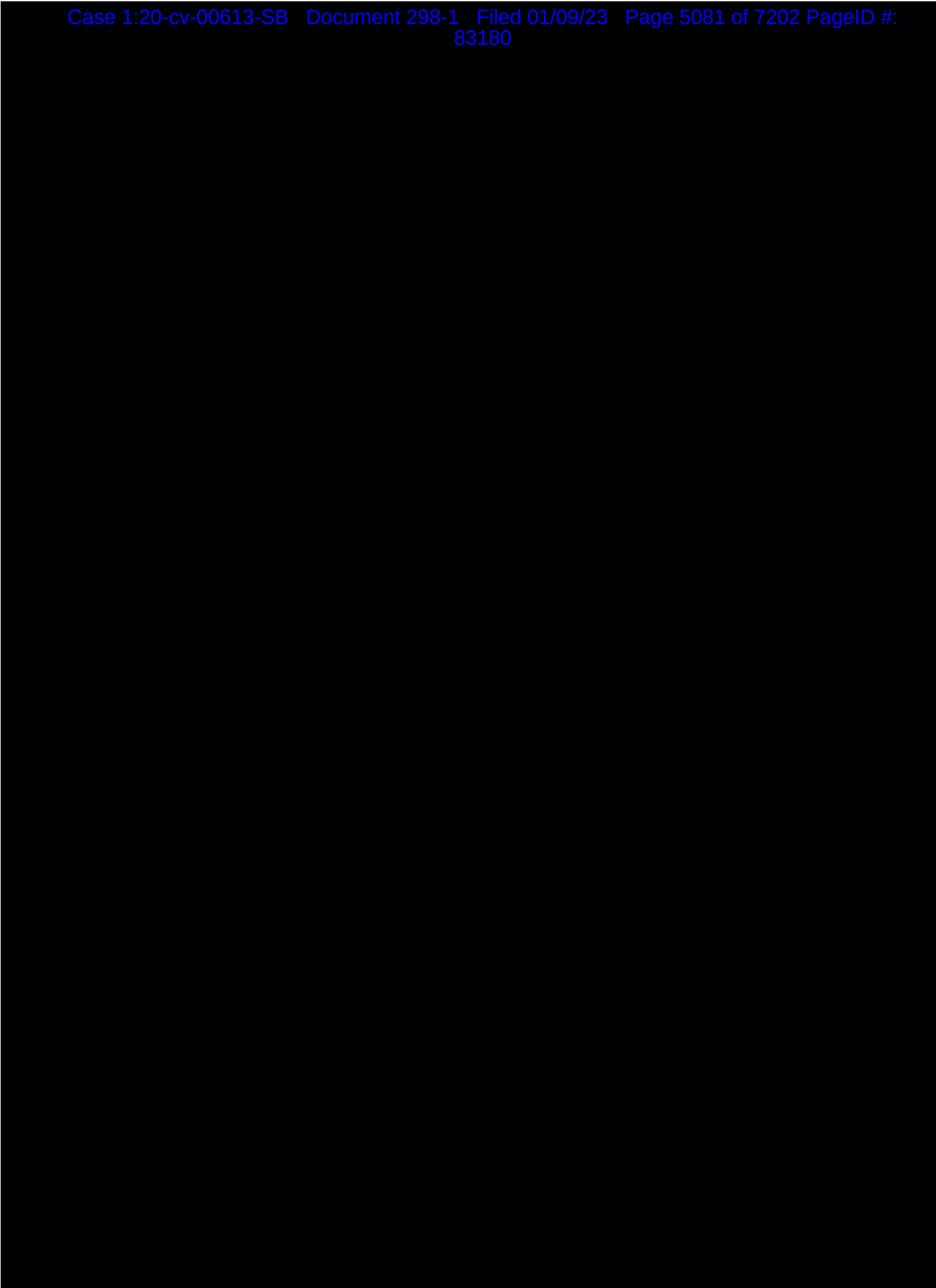


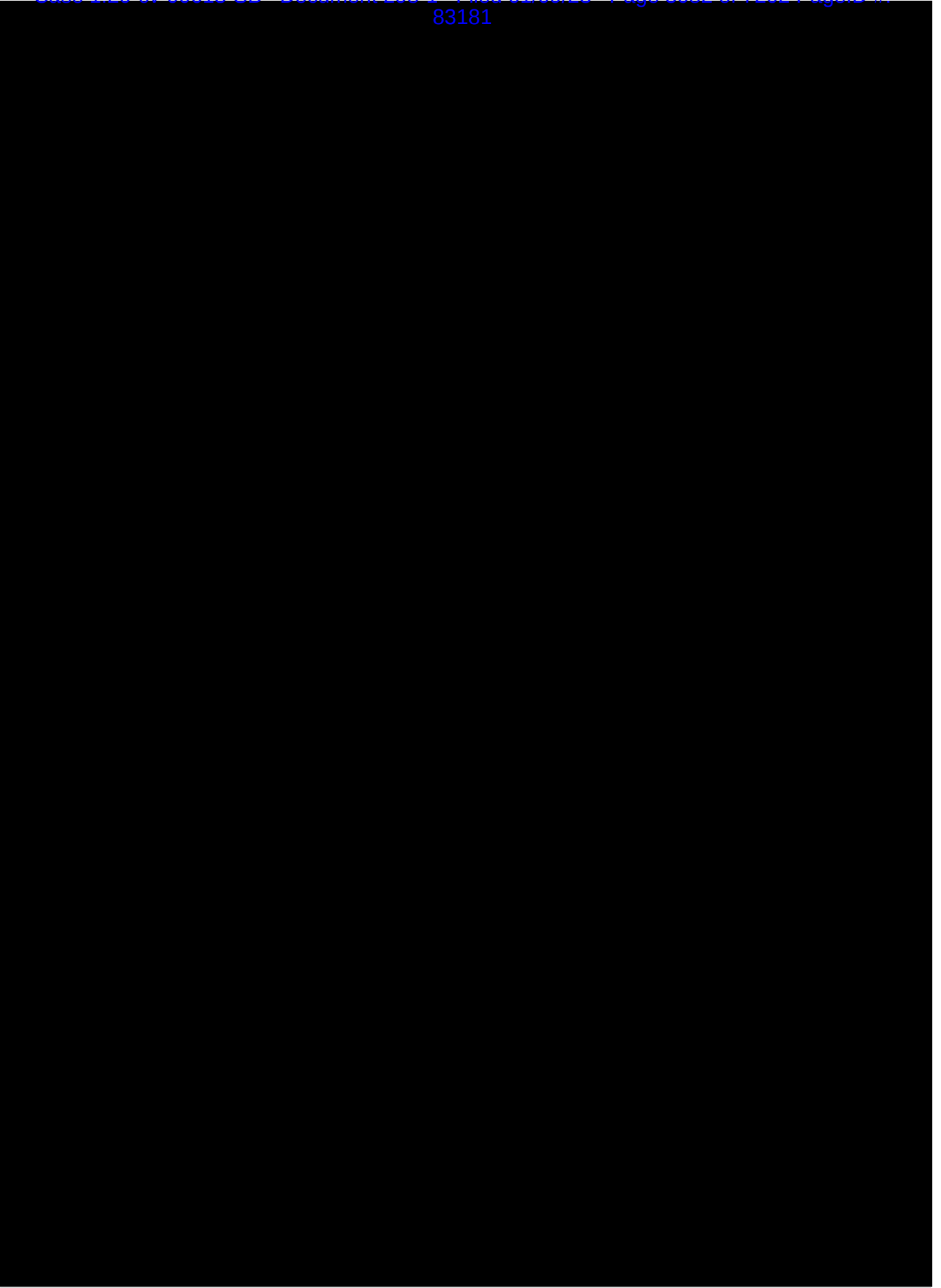


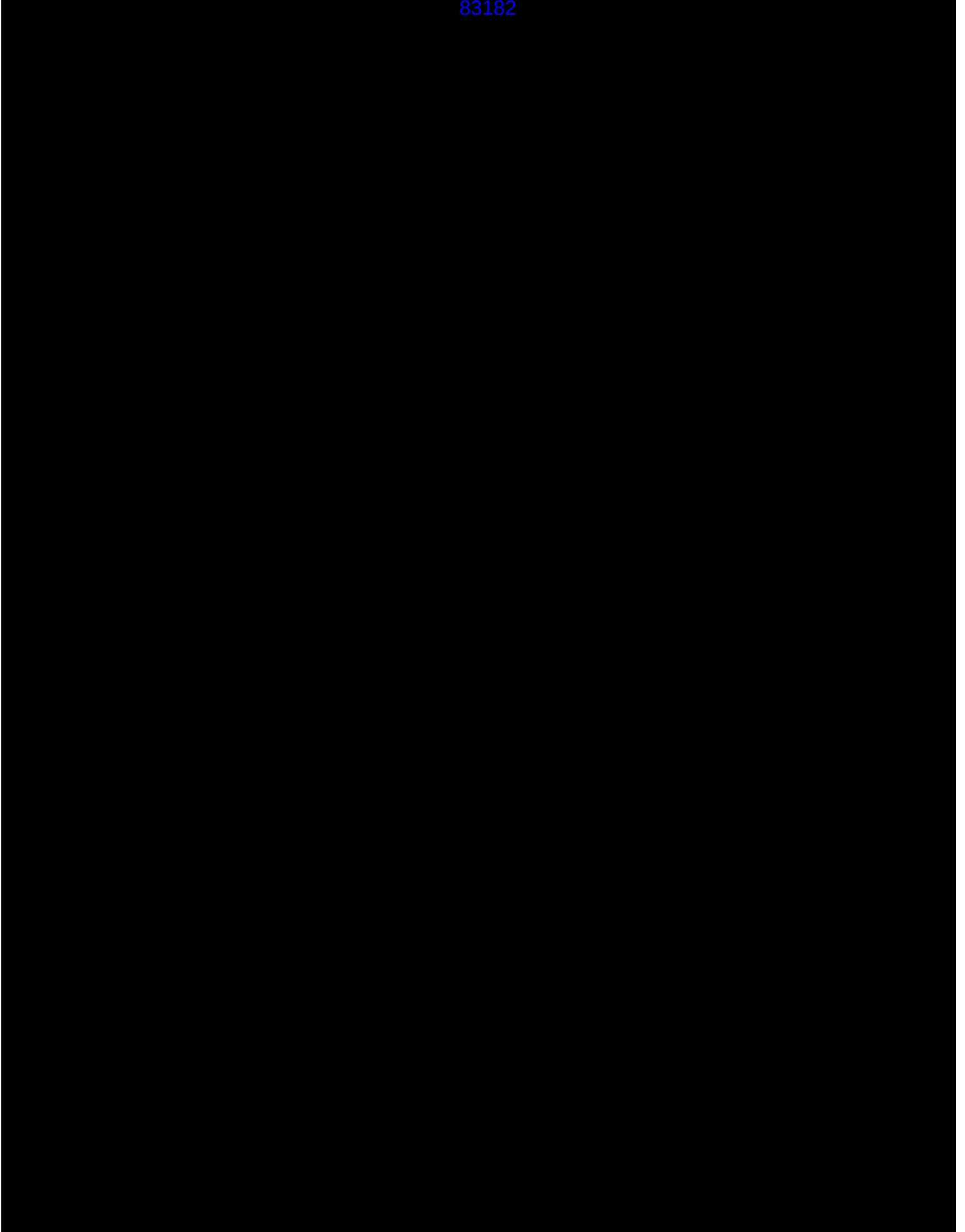


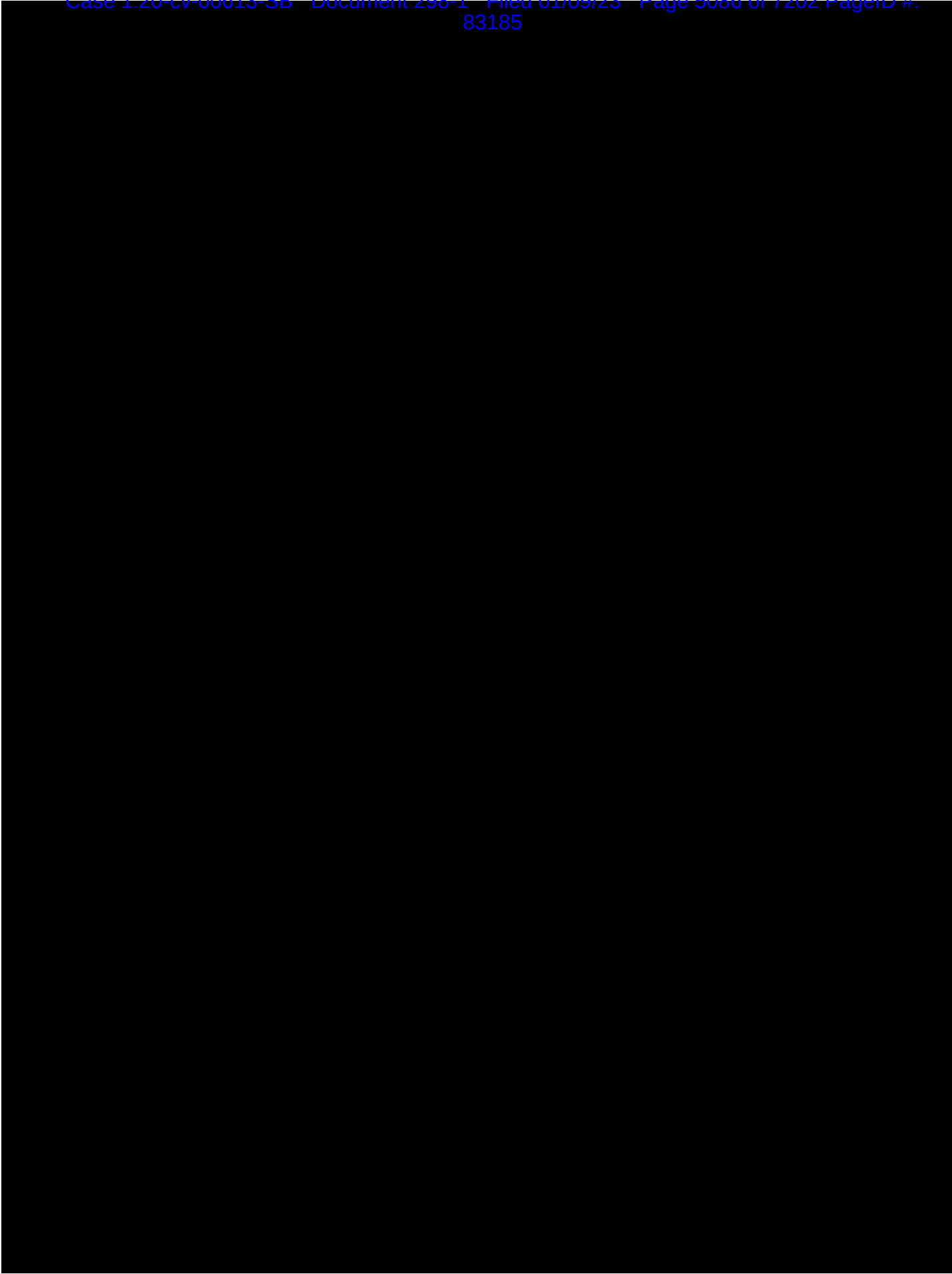


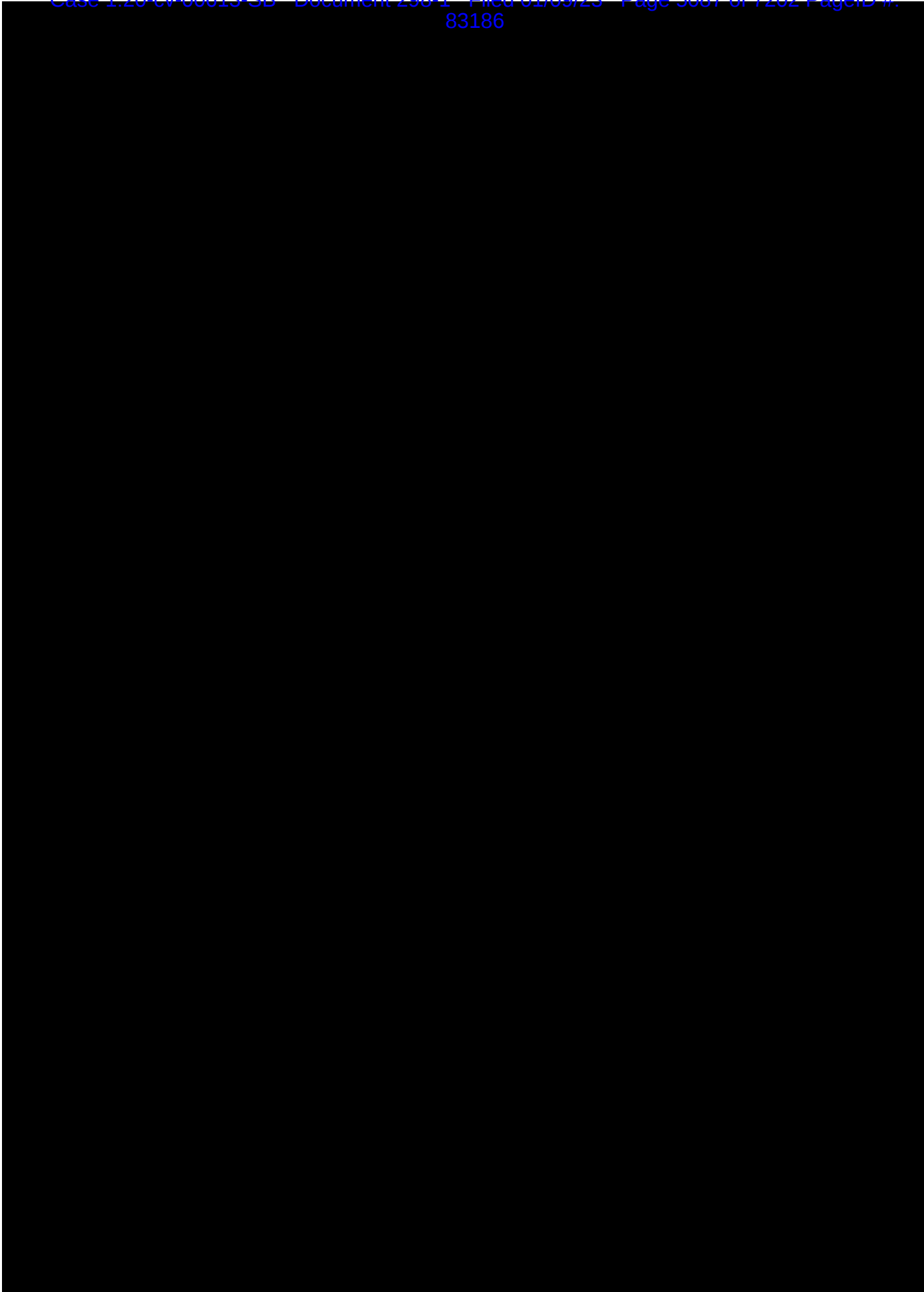


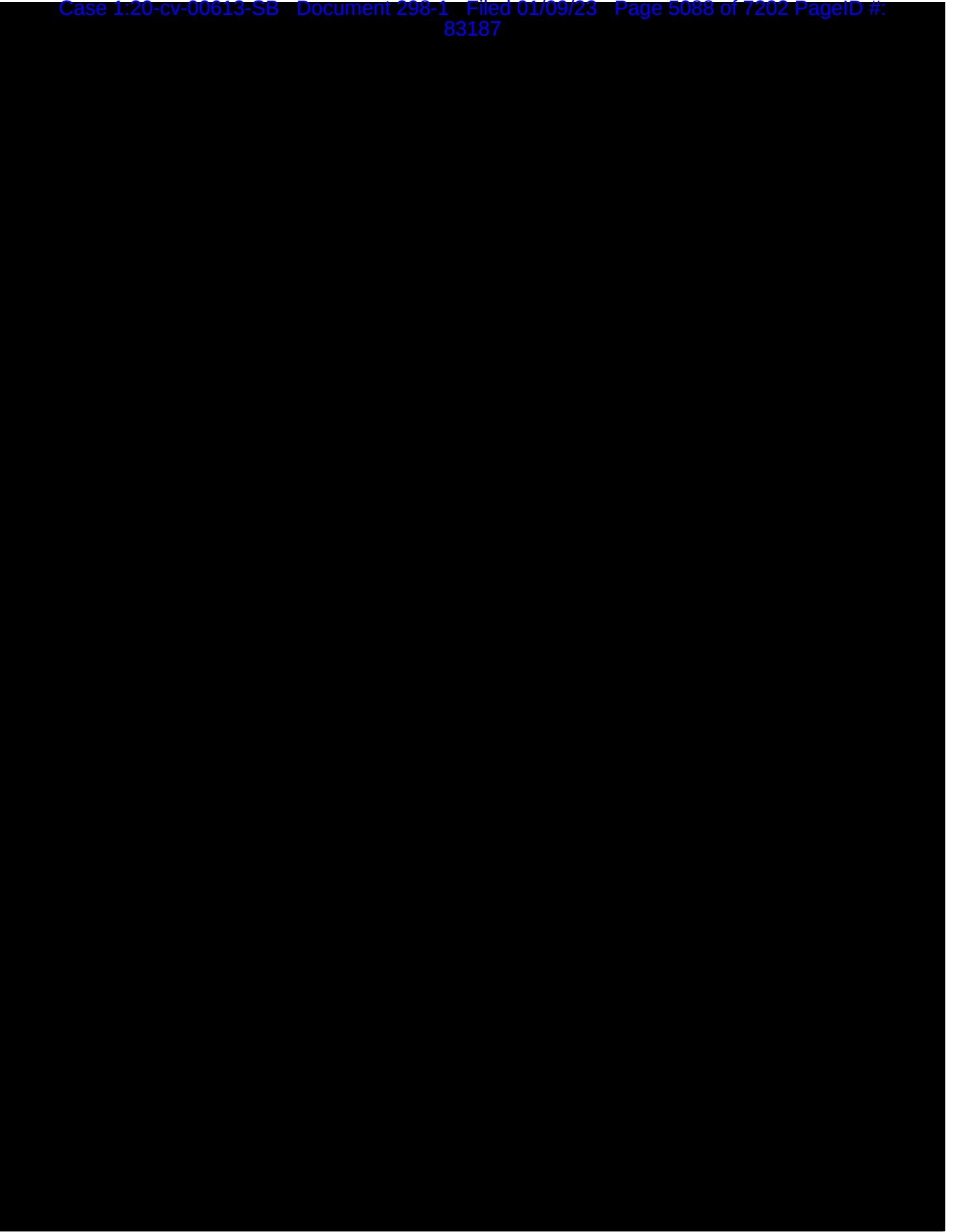


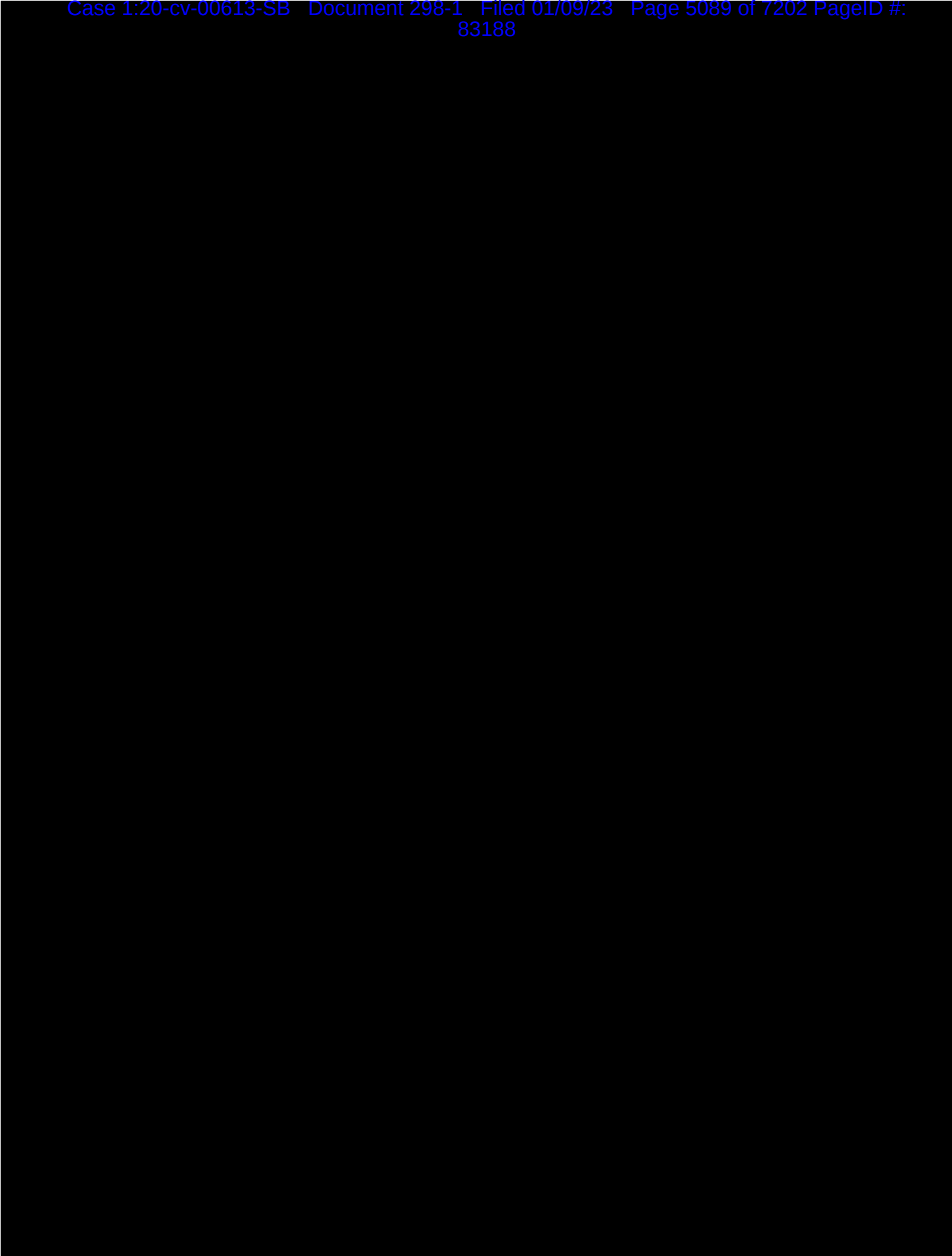


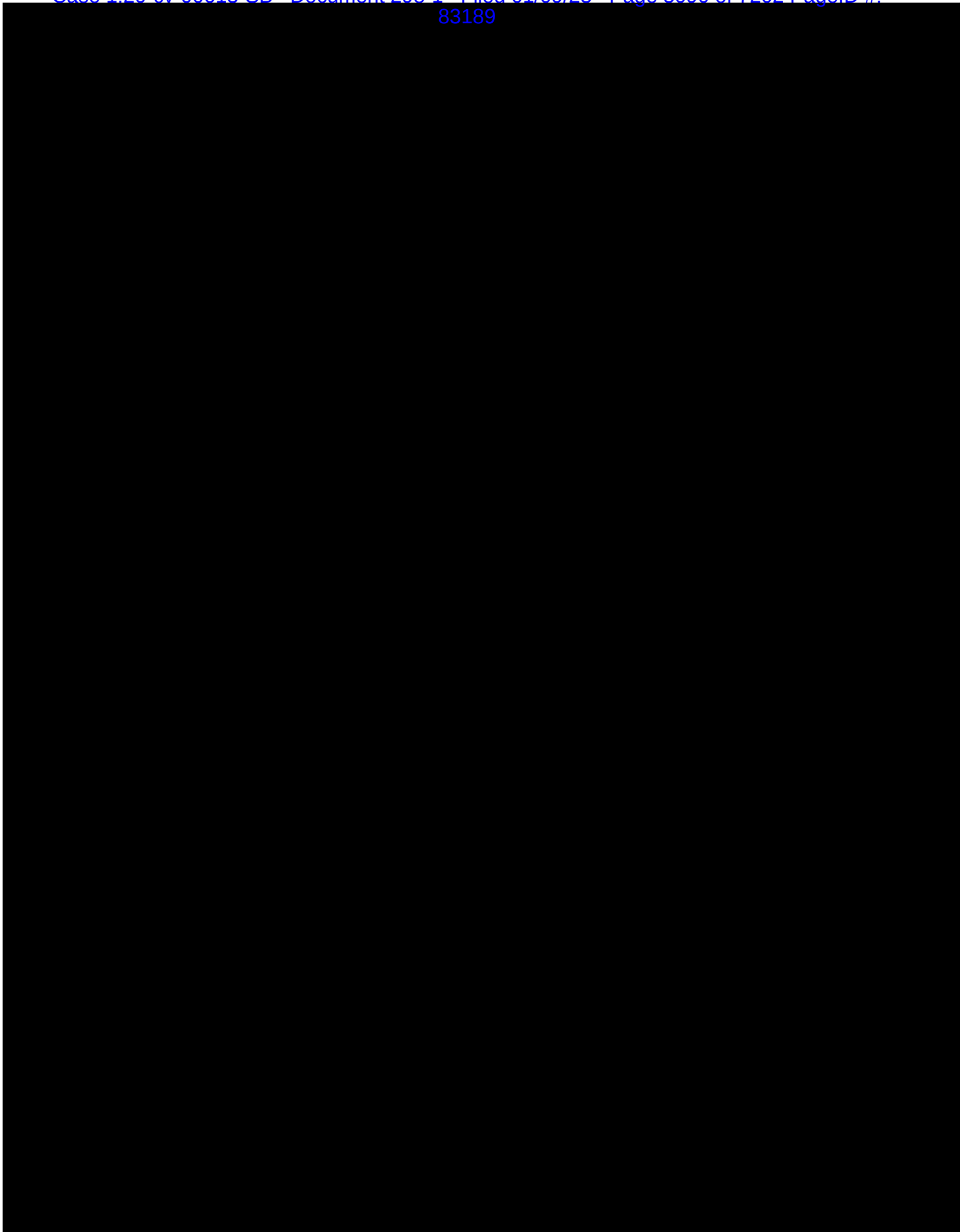


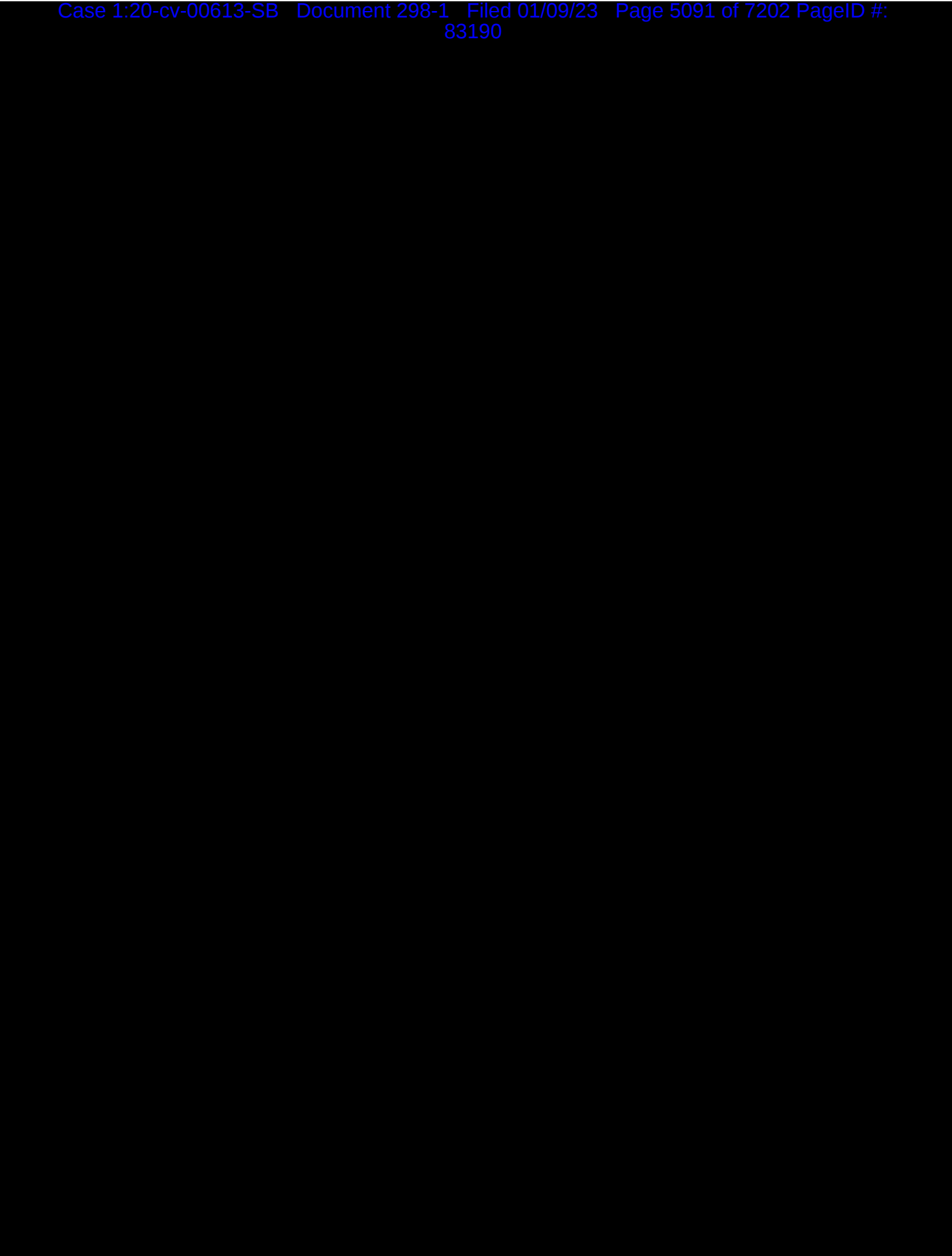


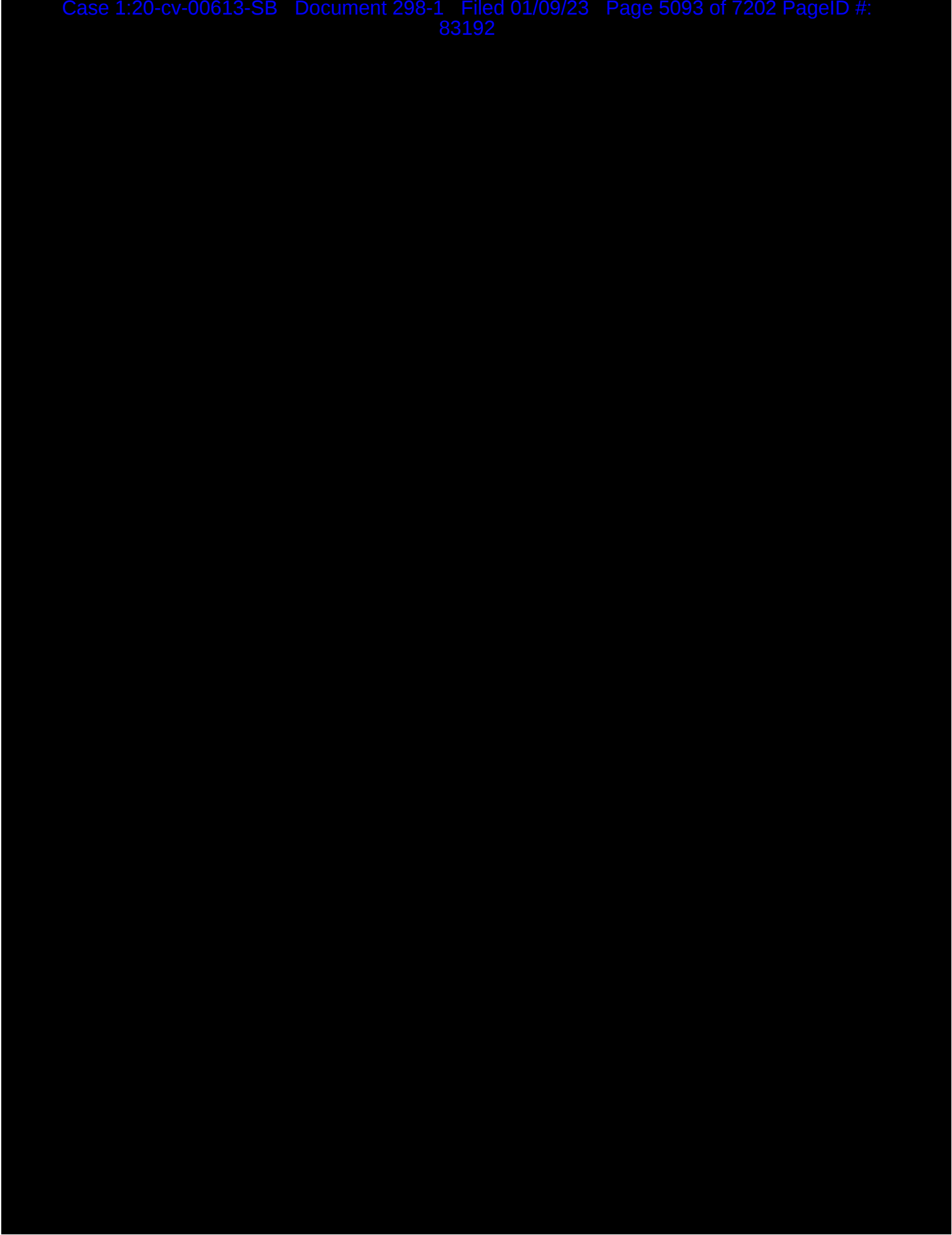


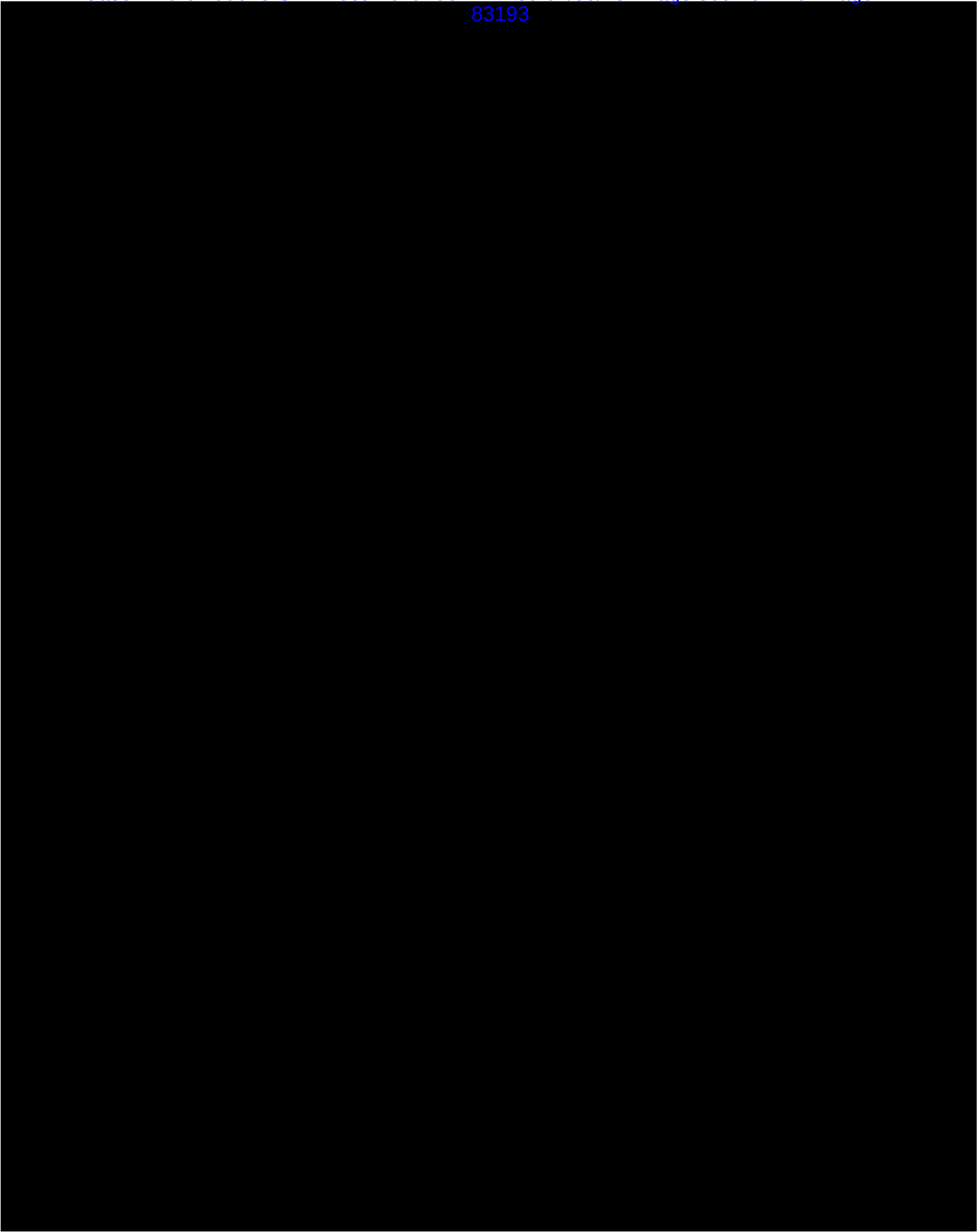


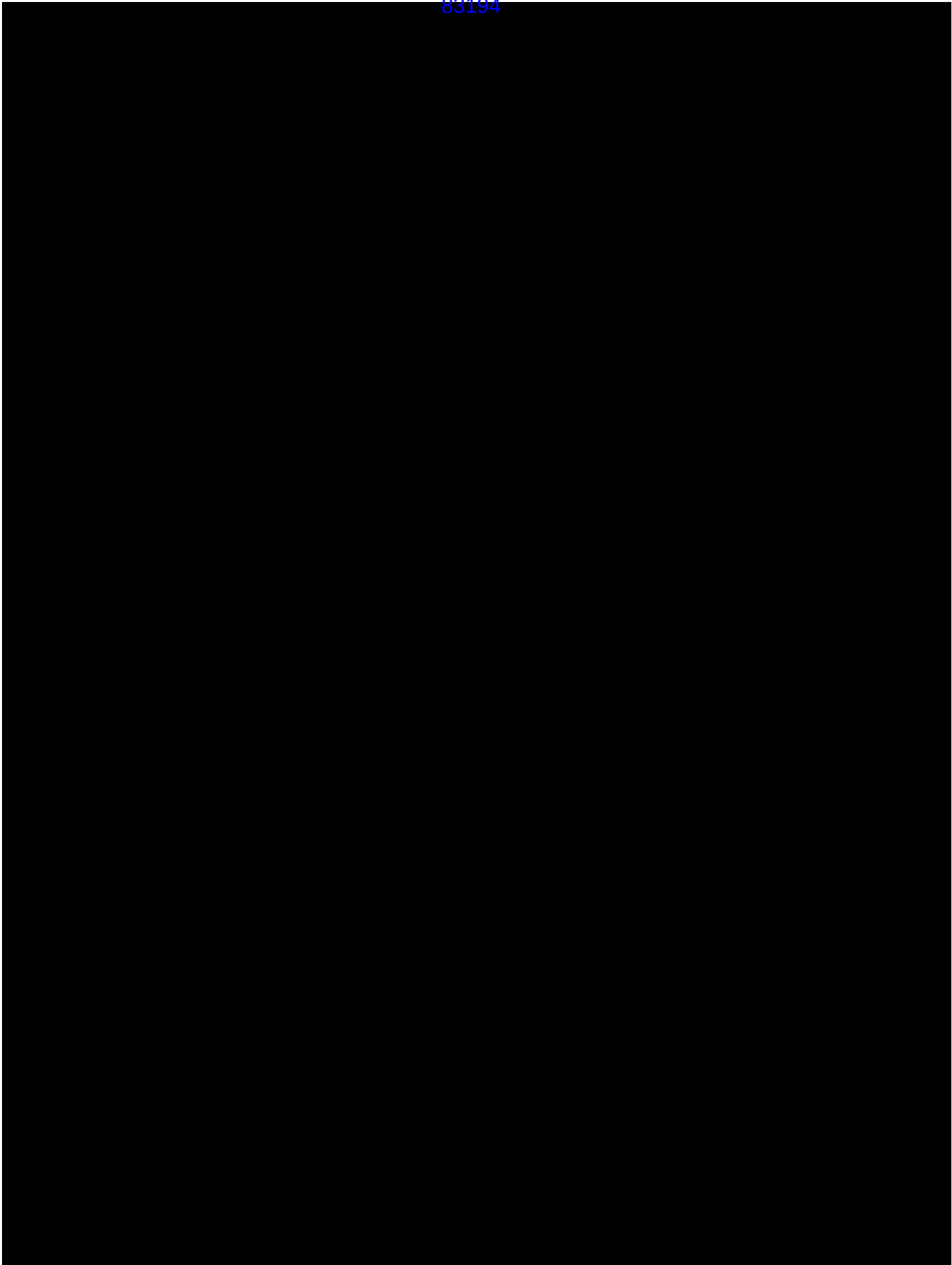


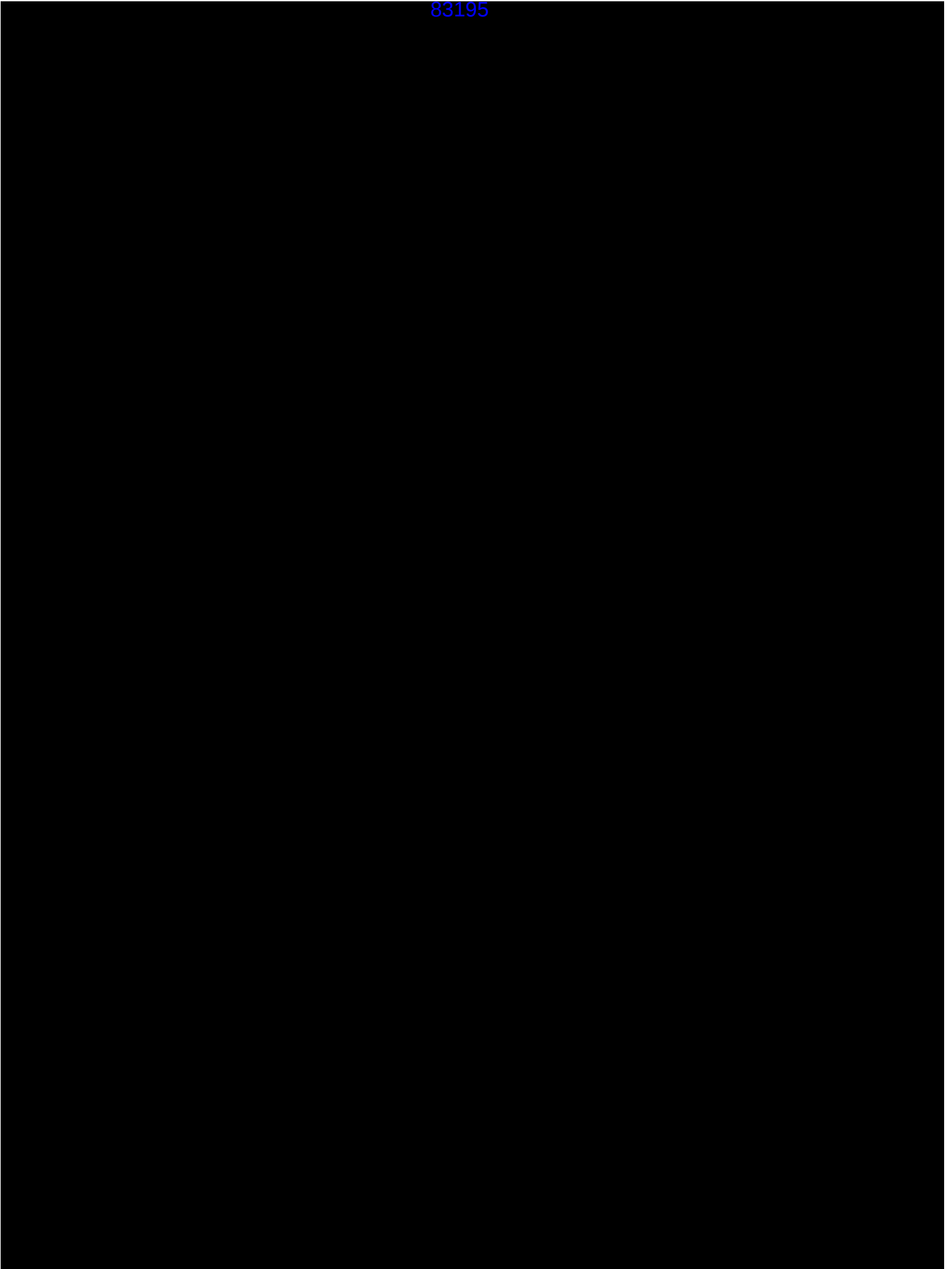


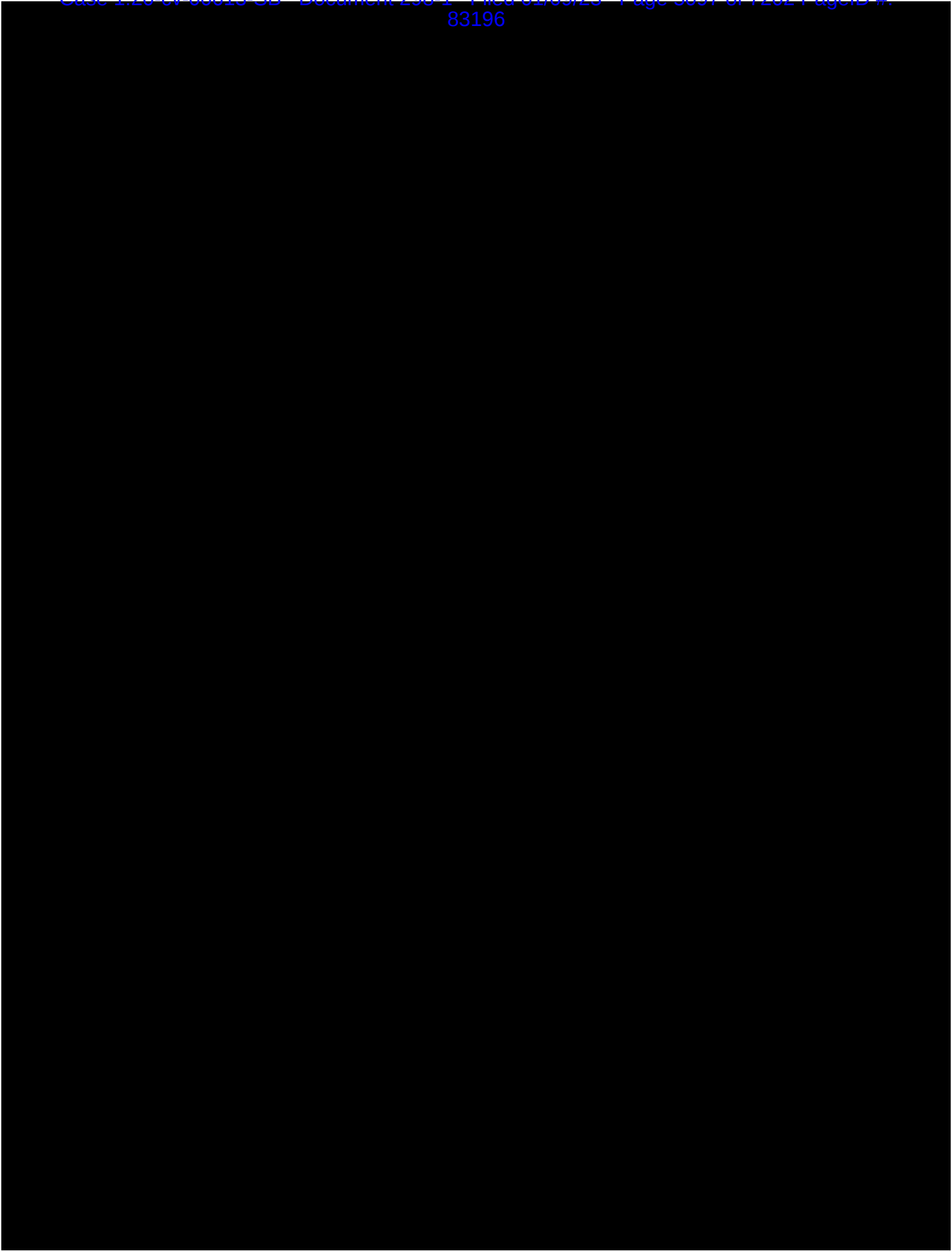


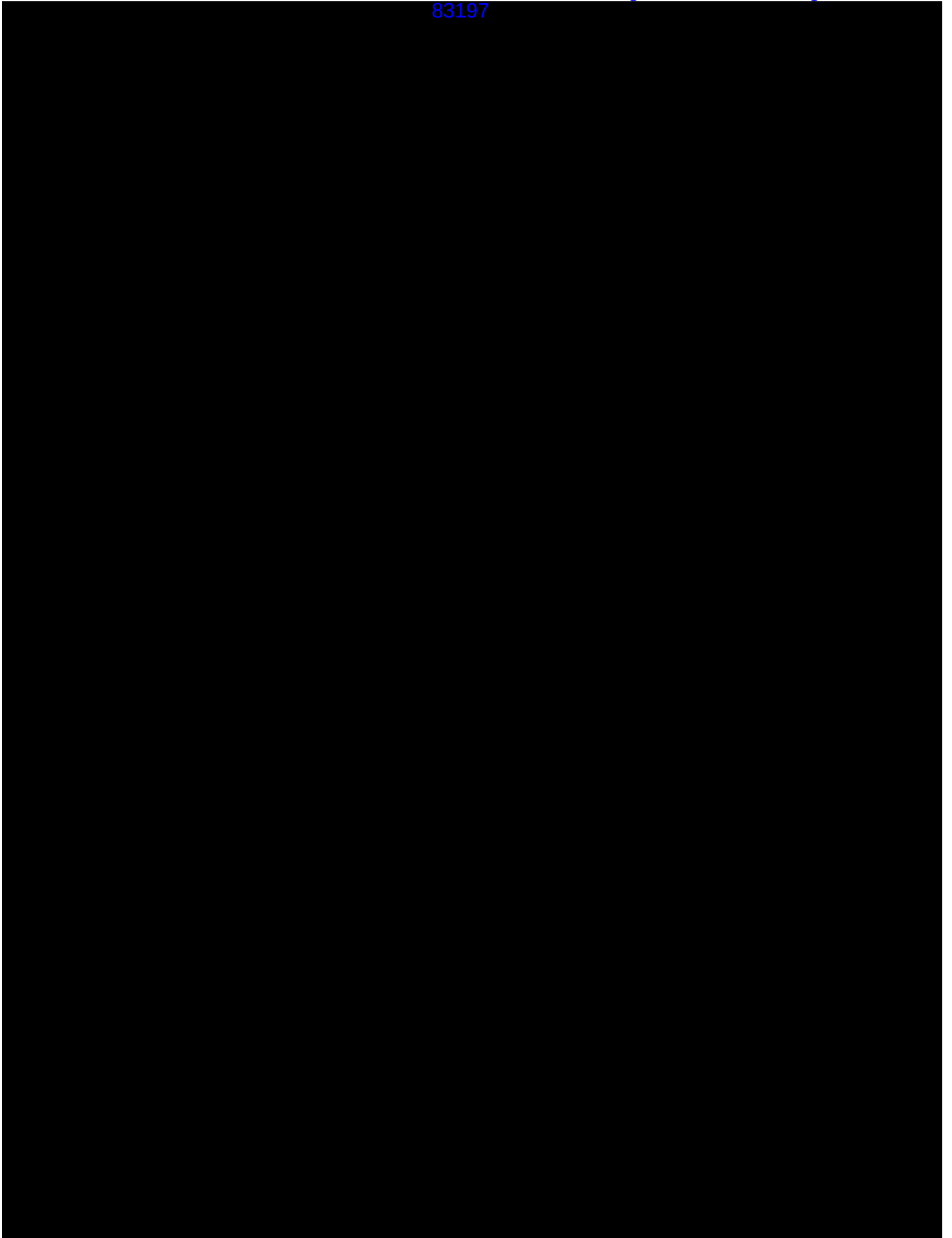


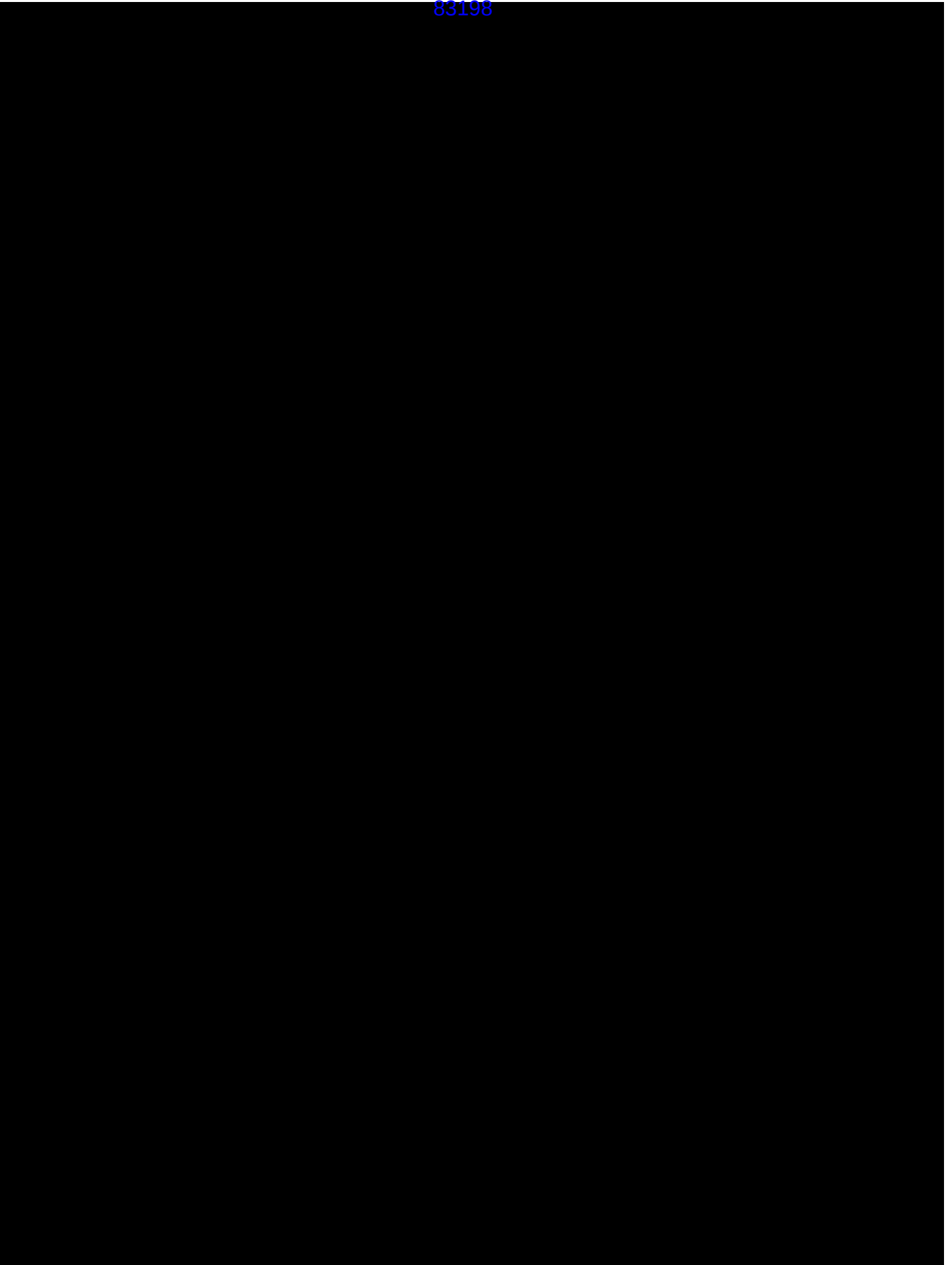


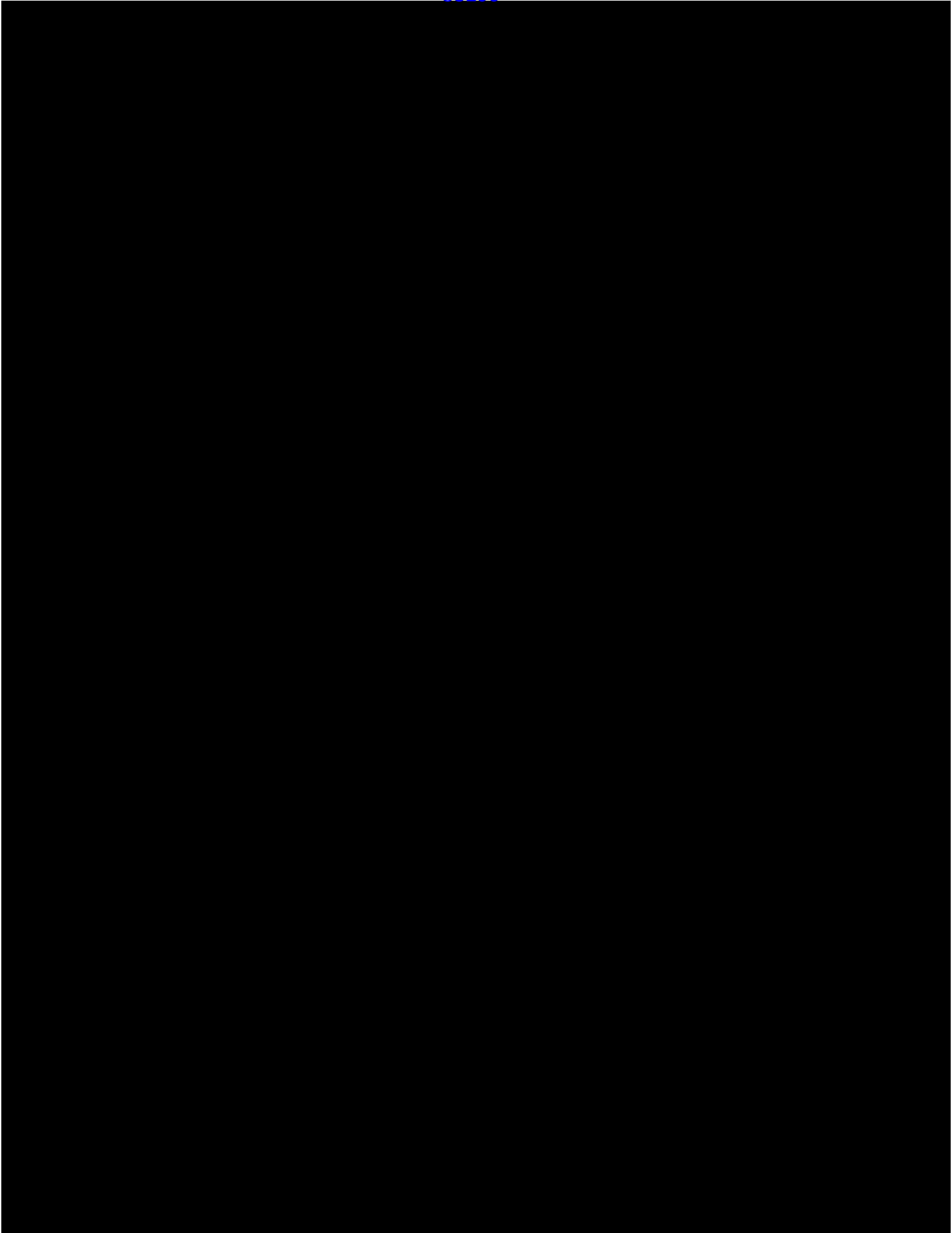


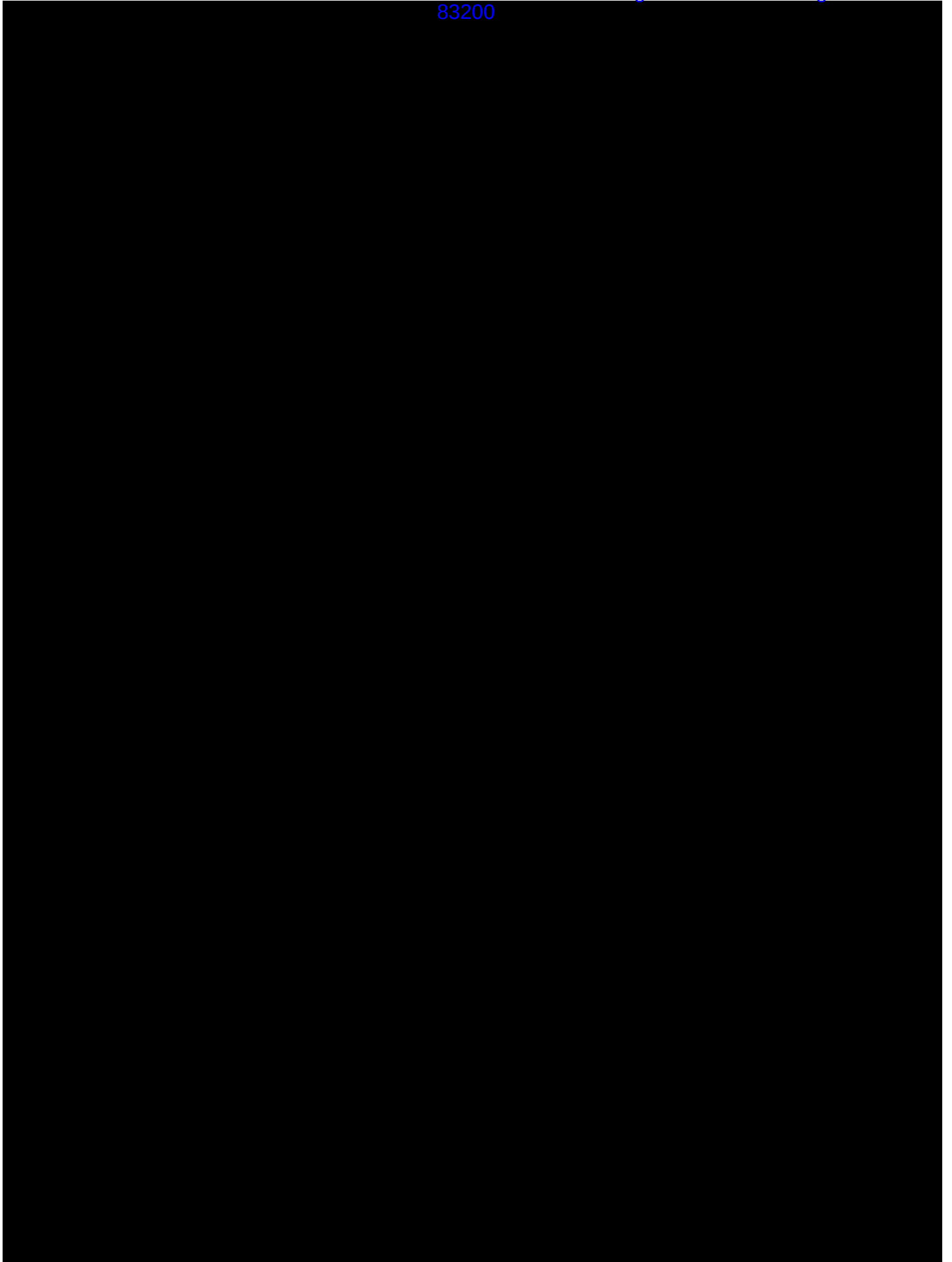


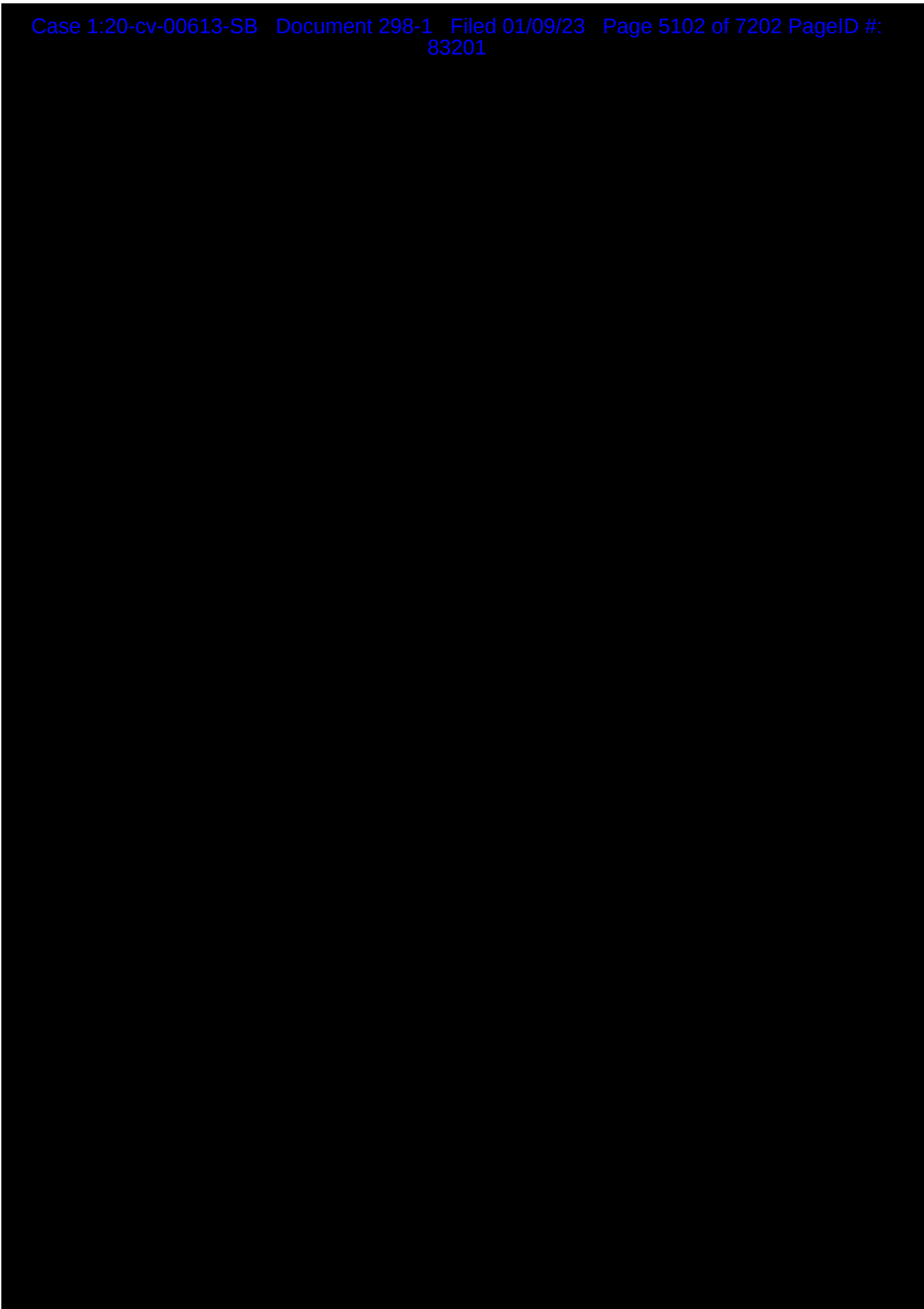


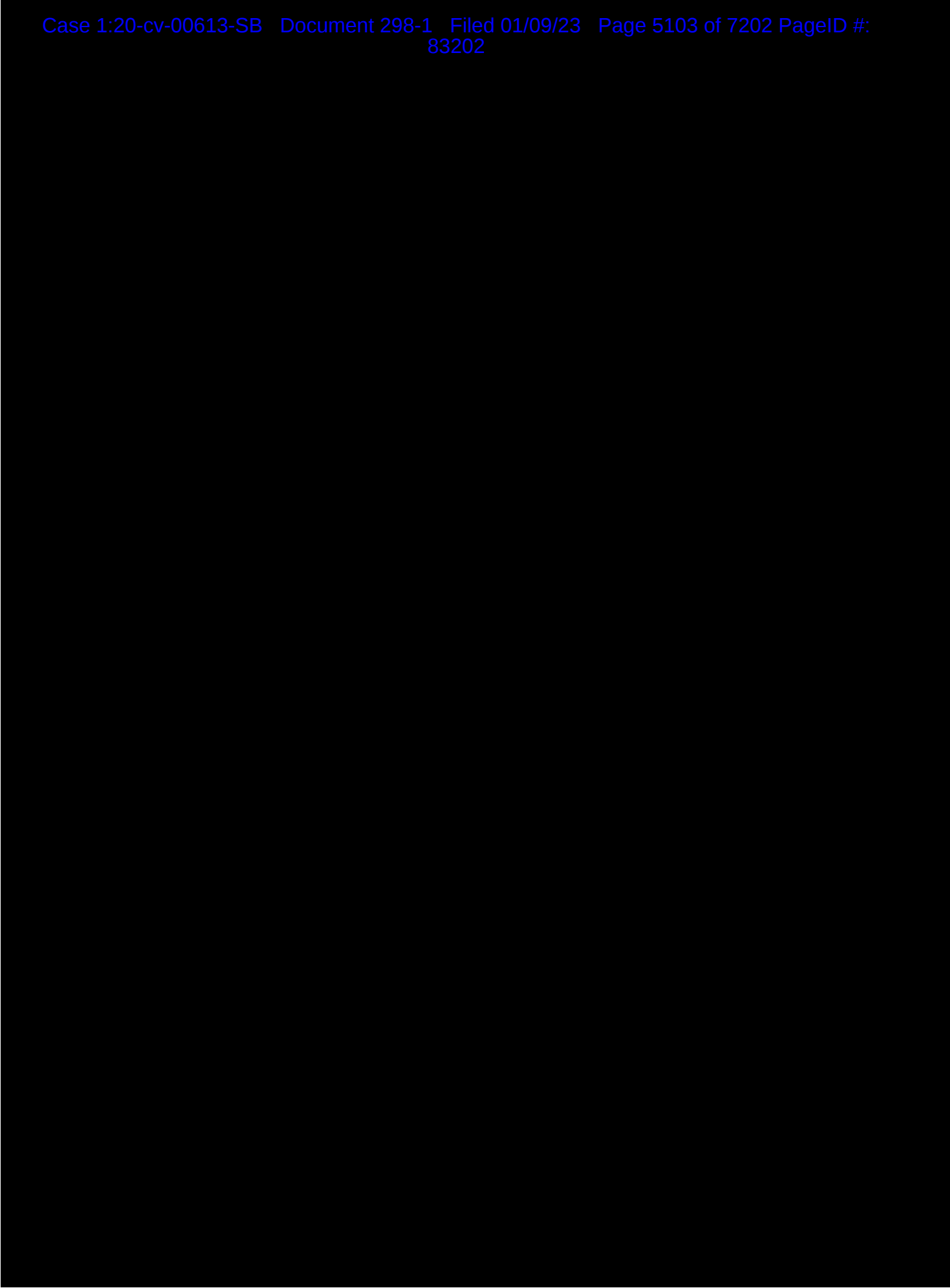


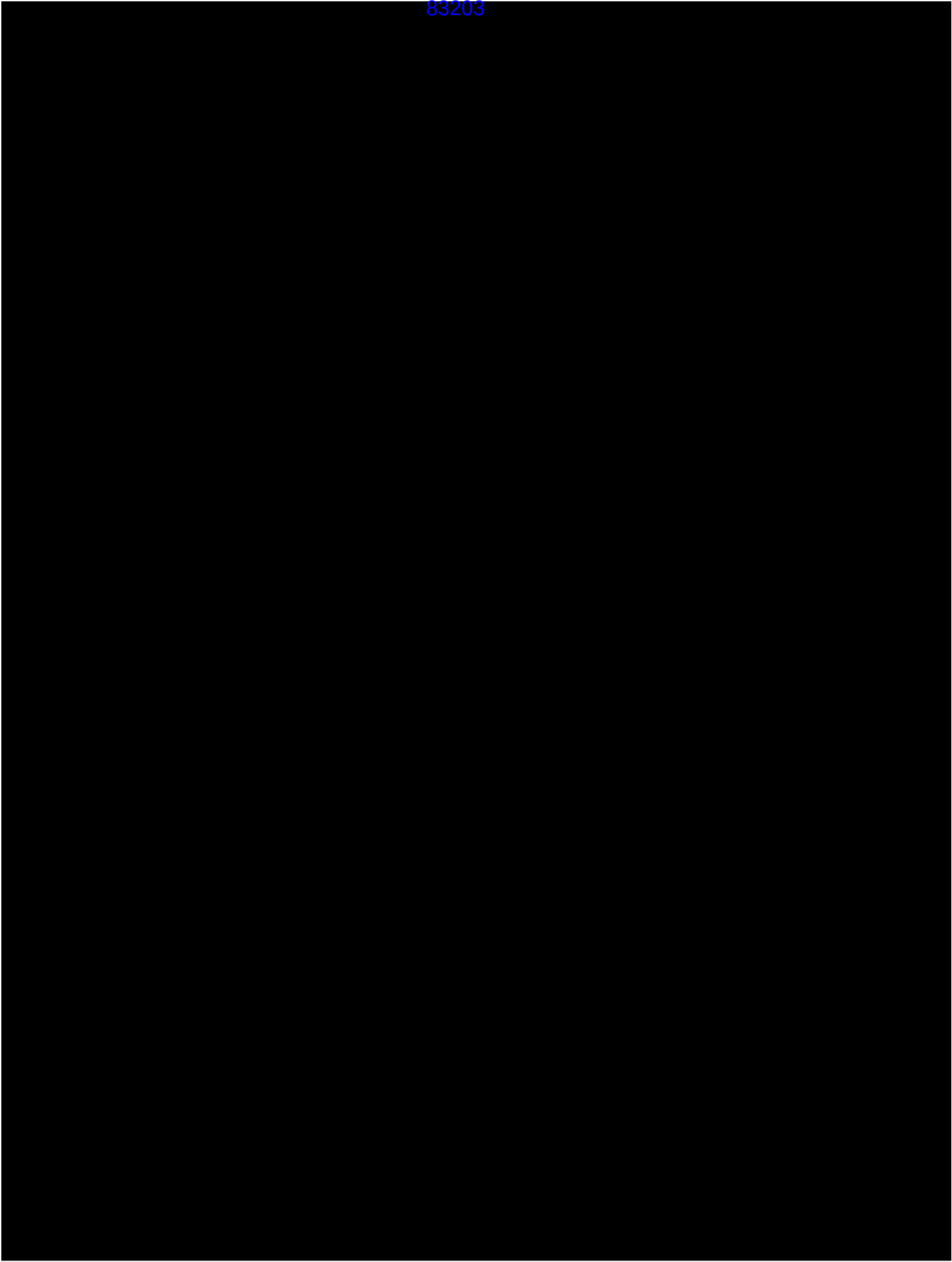


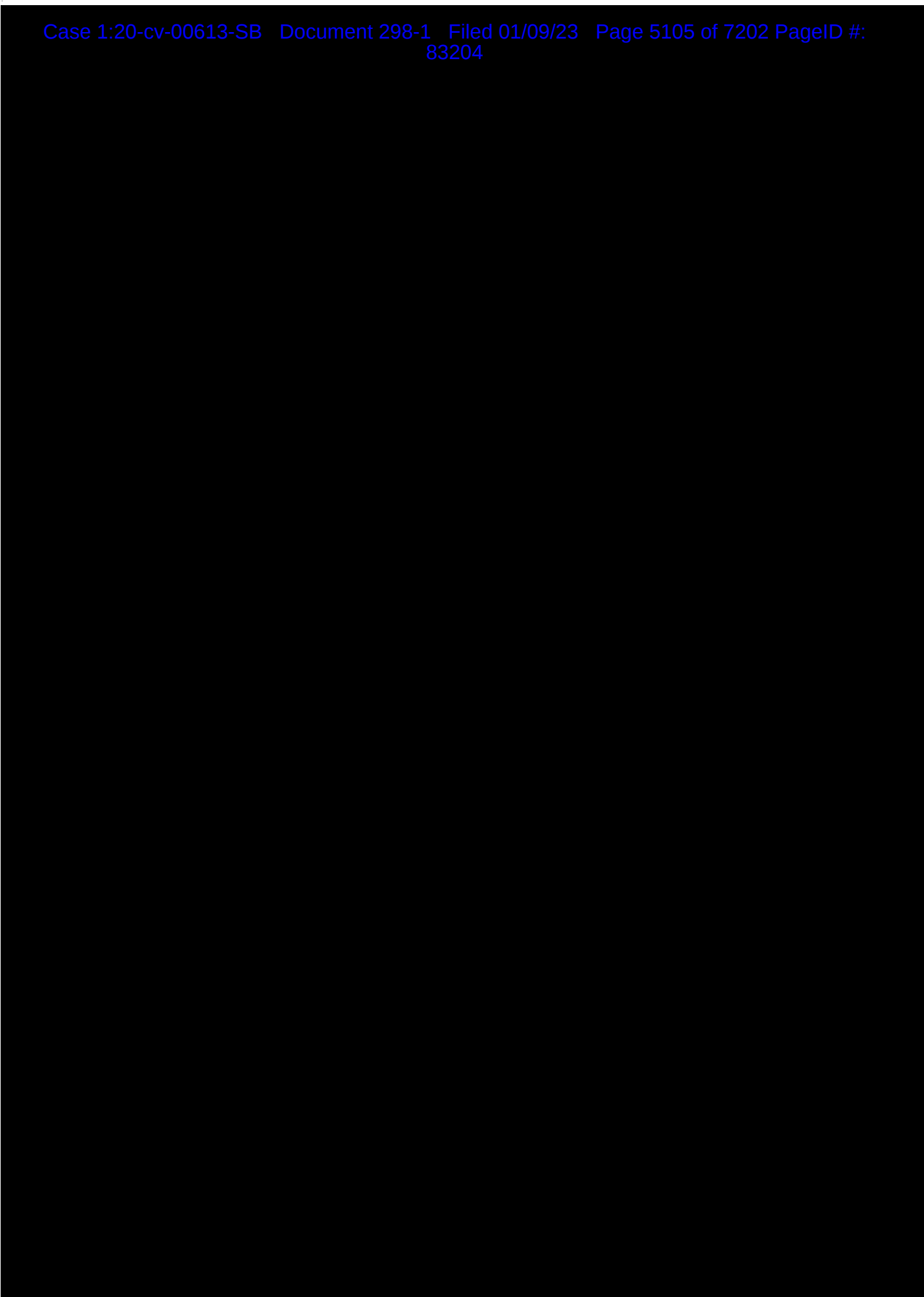


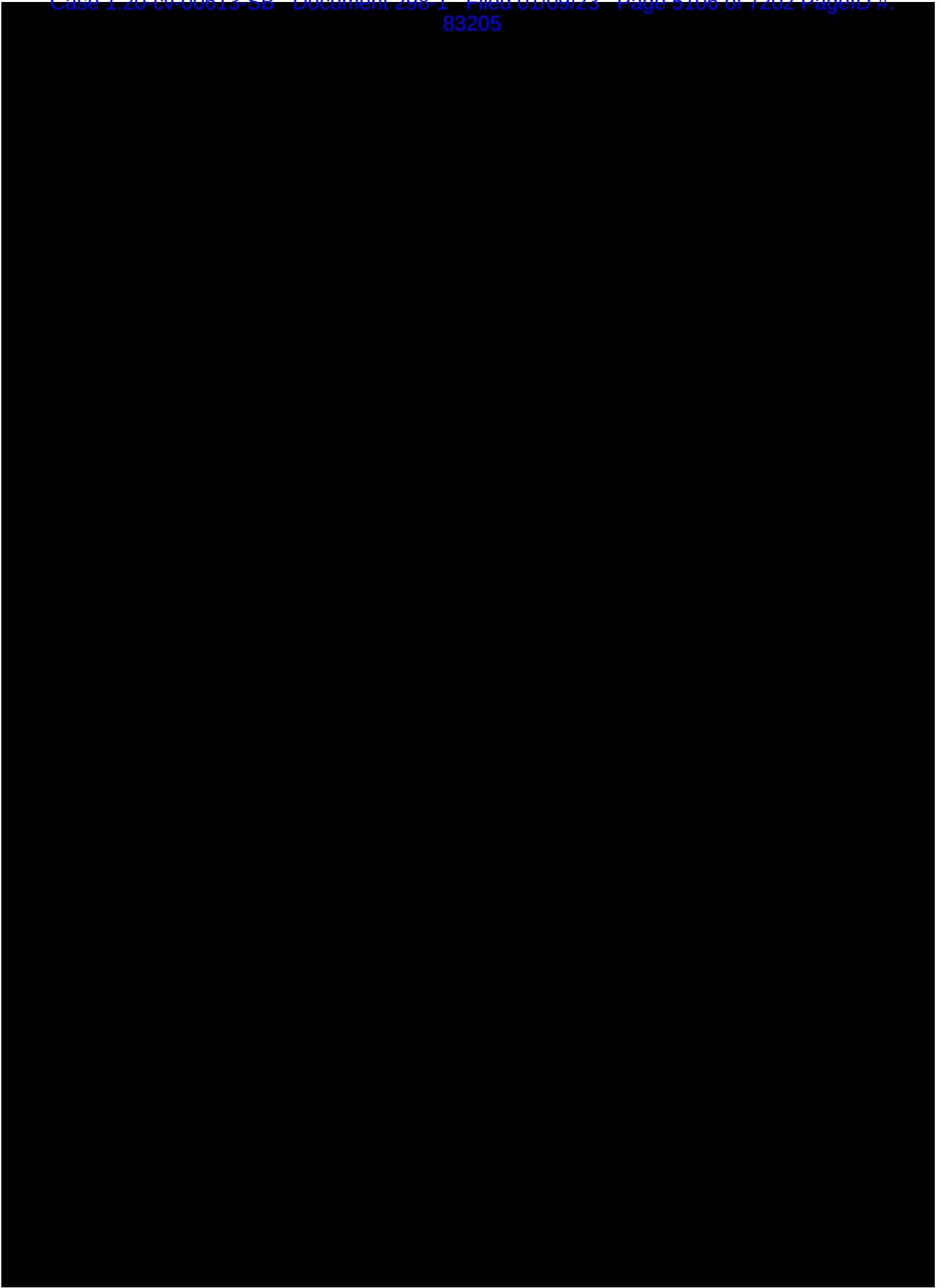


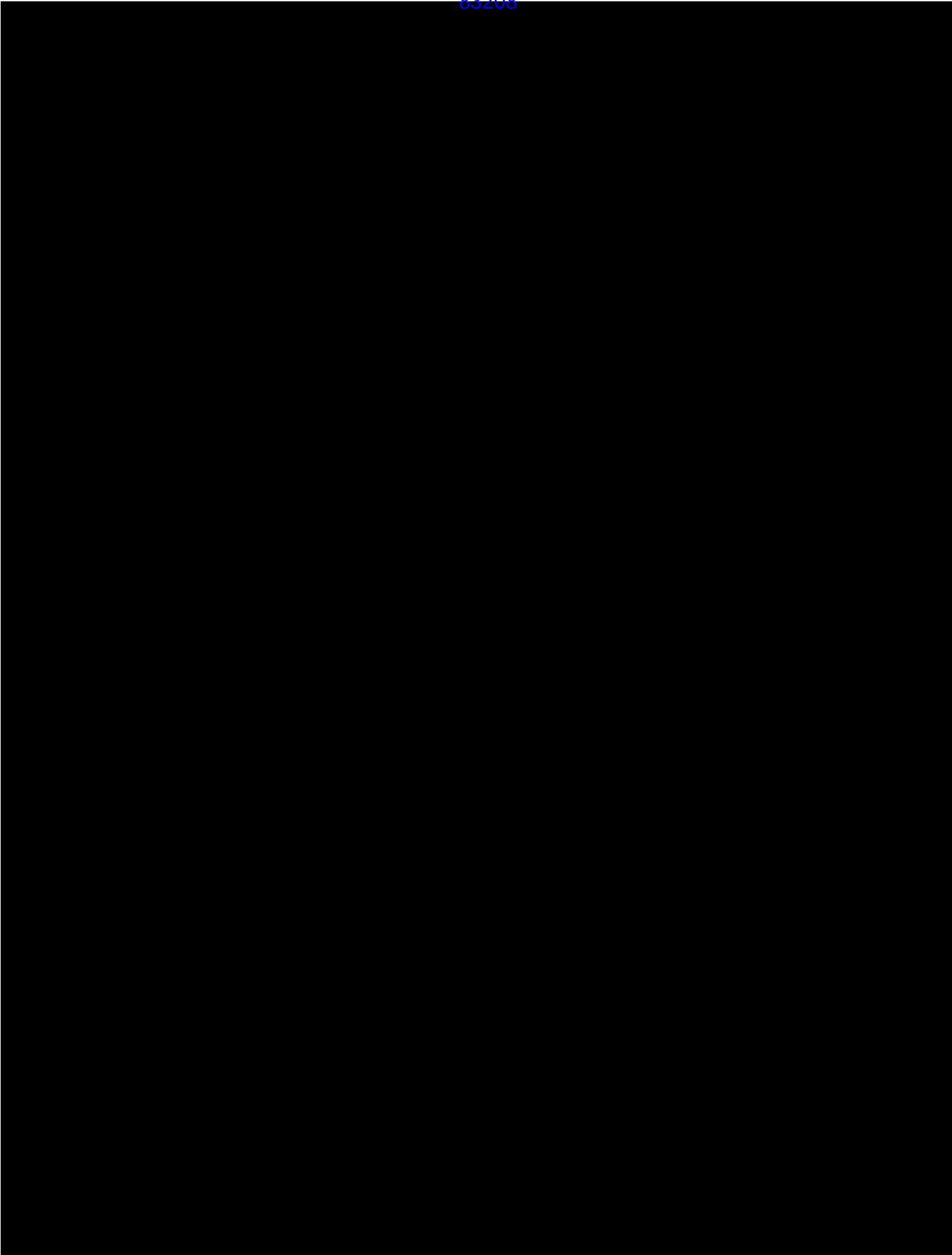






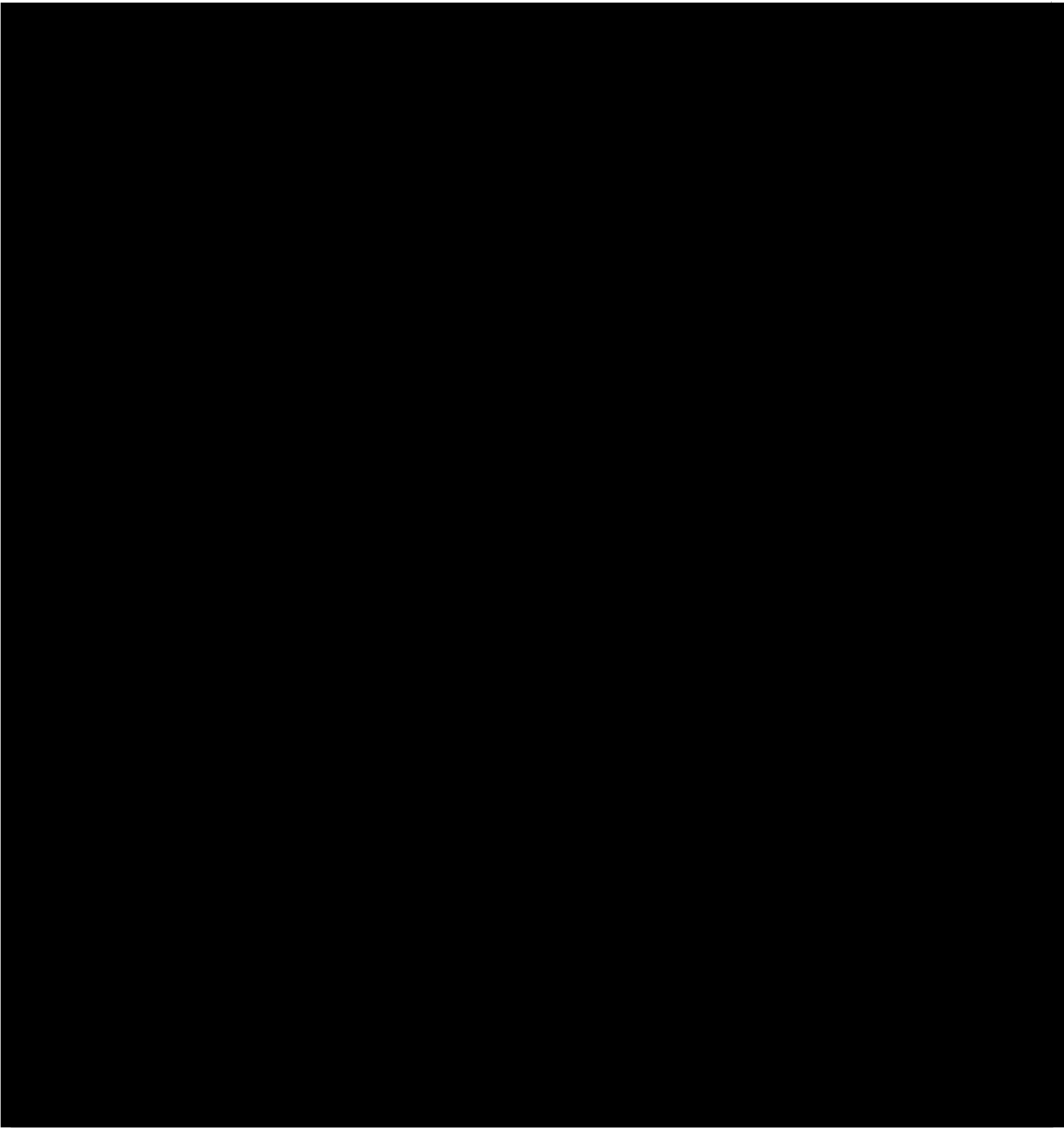






S. REP. 105-189

Engineering Center effort in fiscal year 2000 should the technology prove successful in current and planned evaluations.



(Publication page references are not available for this document.)

principles for the use of one distribution base for allocating a given indirect cost pool.

FAR 31.203, "Indirect costs," subparagraph (b), requires grouping of indirect costs "so as to permit distribution of the grouping on the basis of the benefits accruing to the several cost objectives," and then selection of "a distribution base common to all cost objectives to which the grouping is to be allocated" (emphasis added). In our view, this reference to "a distribution base" requires use of a single distribution base for allocating a given overhead pool to cost objectives (such as changes). A contractor may choose any acceptable distribution base for allocating its job site overhead pool to particular cost objectives, but not more than one. We hold that appellant's practice of switching between a time distribution base (per diem rate) and a direct cost distribution base (percentage markup) for allocating job site overhead costs to changes, depending on whether a time extension was involved, on its face violated the FAR requirement for a single distribution base for allocating a given overhead pool. [FN7]

CONCLUSION

We have concluded that the Changes and Pricing of Adjustments clauses define the costs of a change by reference to FAR Part 31, and that appellant cannot recover the claimed job site overhead percentage markup in these appeals because, under the facts of these cases, such a markup is inconsistent with appellant's per diem distribution base for charging job site overhead on changes that extended the contract period, and so violates the cost principle requirement in FAR 31.203, "Indirect costs," for use of a single distribution base to allocate a given indirect cost pool. We therefore grant appellant's motion for reconsideration but we affirm the denial of these appeals on different grounds from those stated in the prior opinion.

Accordingly, the appeals are denied.

JOHN LANE

Administrative Judge

Armed Services Board

of Contract Appeals

I concur

PAUL WILLIAMS

Administrative Judge

Chairman

Armed Services Board

of Contract Appeals

I concur

Administrative Judge

Vice Chairman

Armed Services Board

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(Publication page references are not available for this document.)

of Contract Appeals

I concur

MARK N. STEMLER

Administrative Judge

Vice Chairman

Armed Services Board

of Contract Appeals

I concur

WILLIAM T. WATKINS

Administrative Judge

Armed Services Board

of Contract Appeals

I concur

JOHN J. GROSSBAUM

Administrative Judge

Armed Services Board

of Contract Appeals

I concur

JOHN I. COLDREN, III

Administrative Judge

Armed Services Board

of Contract Appeals

I concur

RONALD JAY LIPMAN

Administrative Judge

Armed Services Board

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EXHIBIT 82

EXHIBIT 83

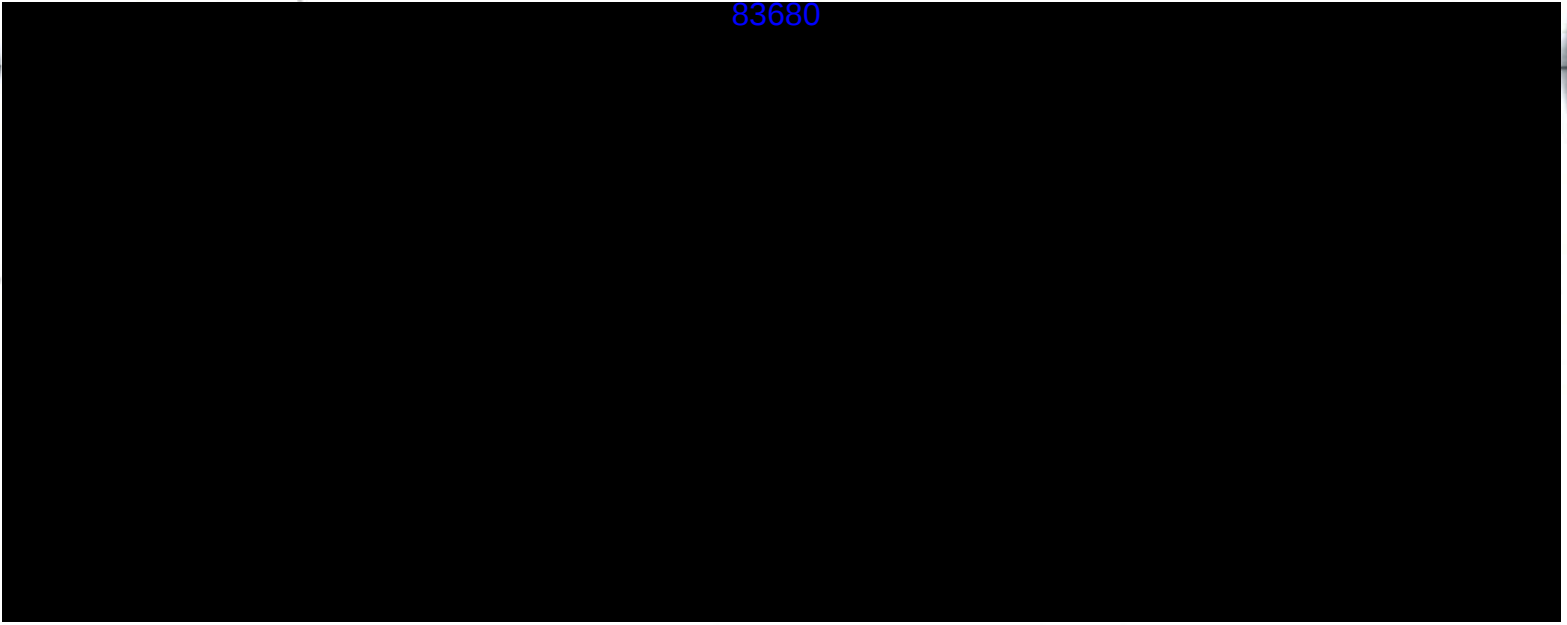
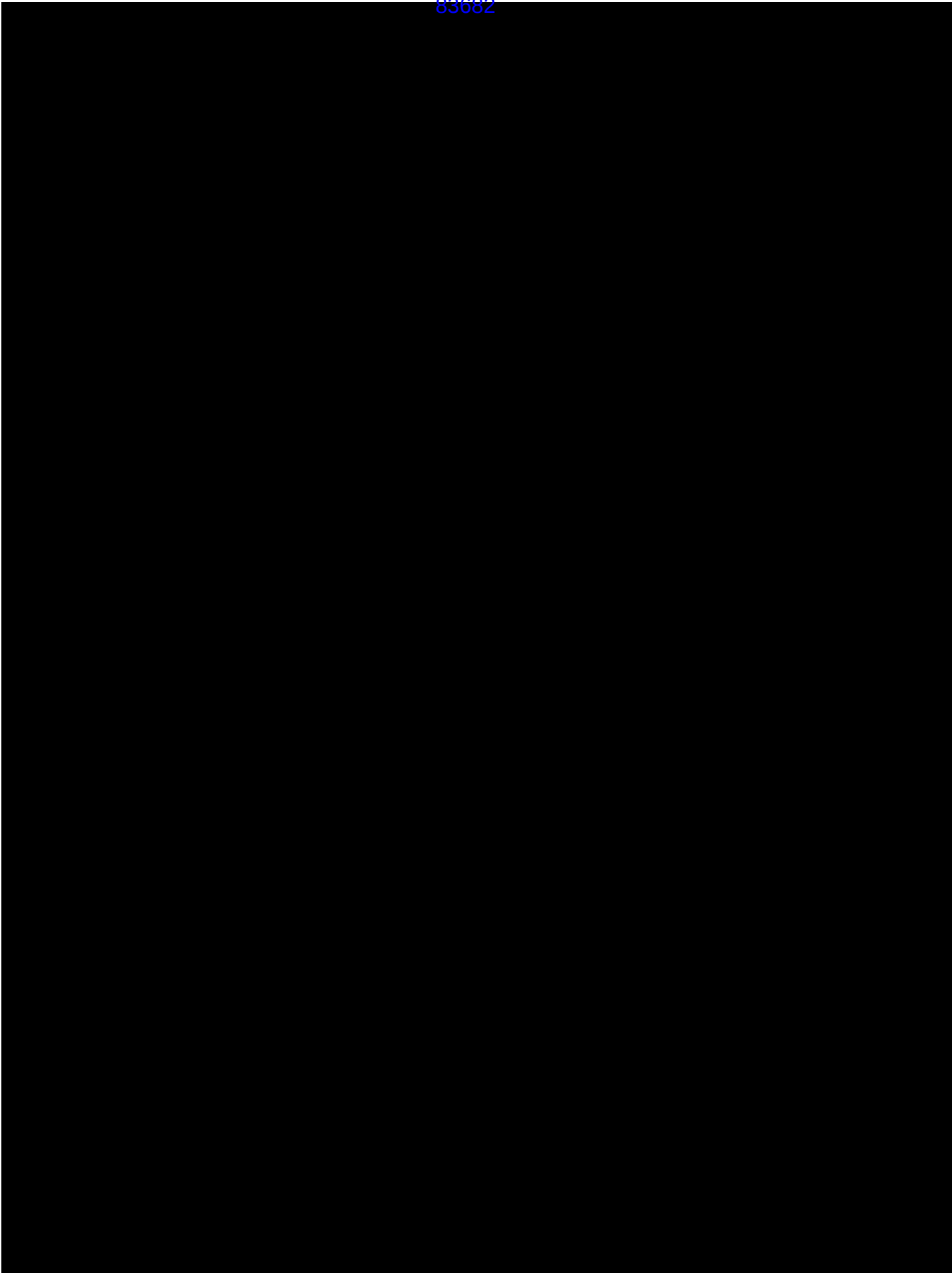
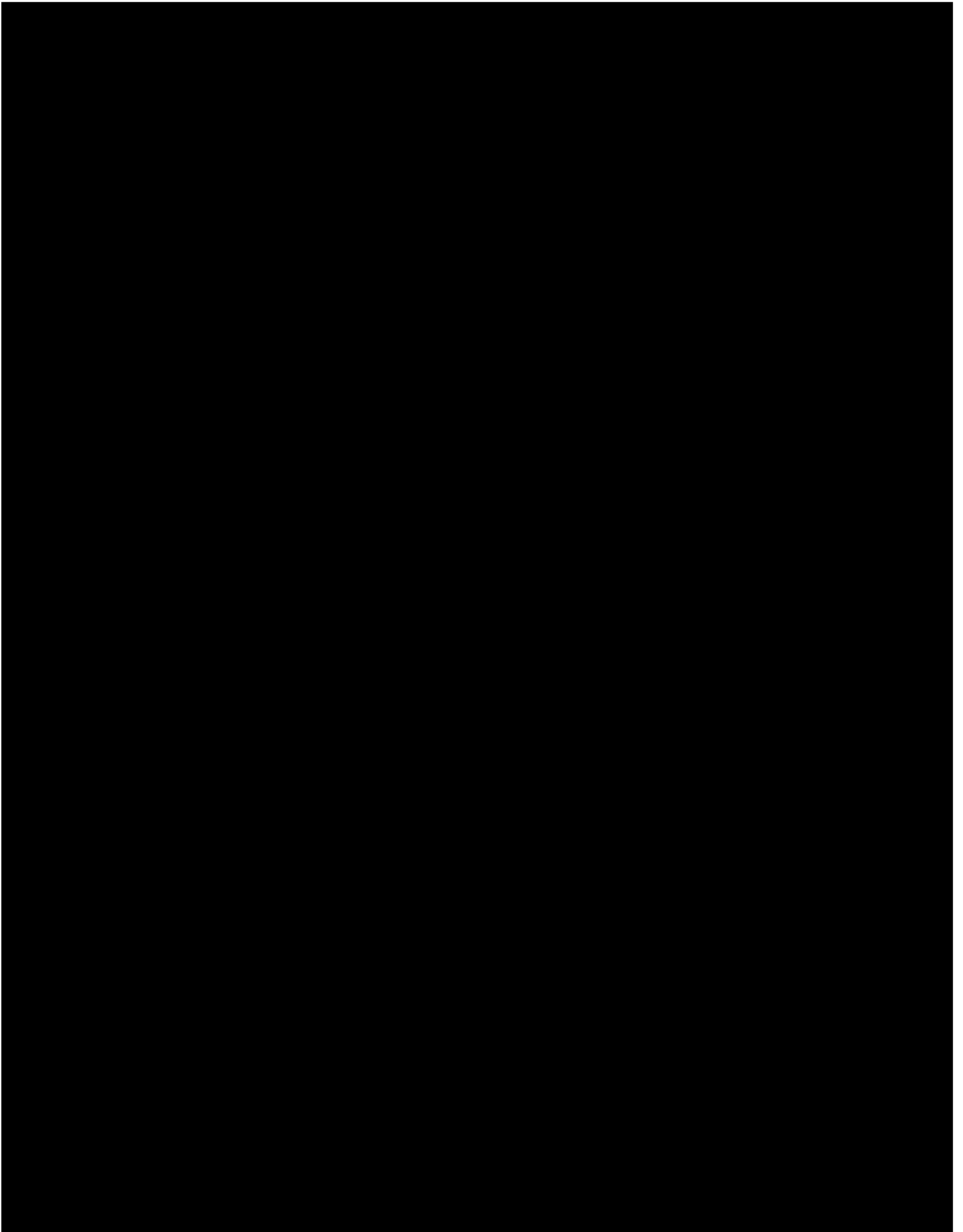
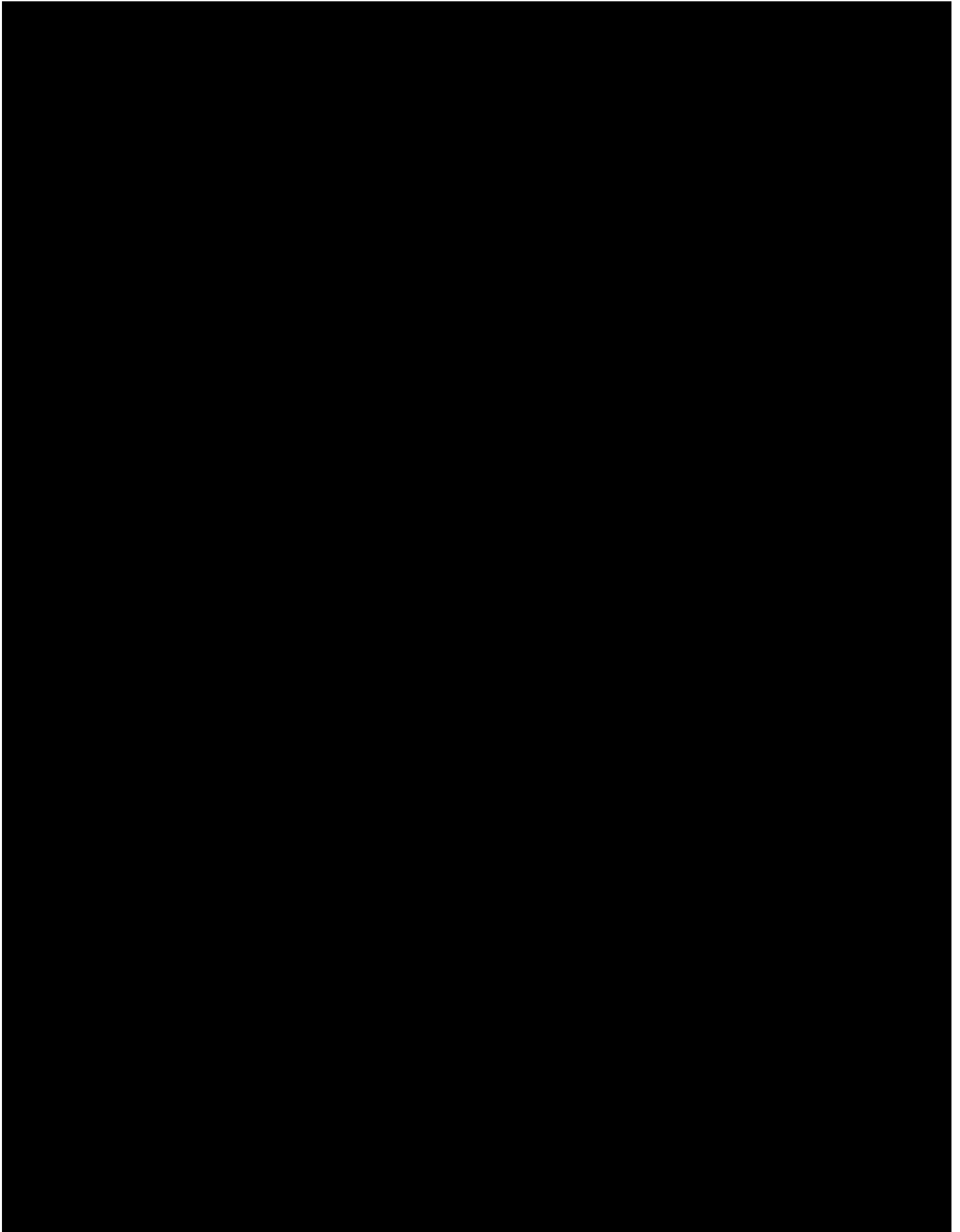
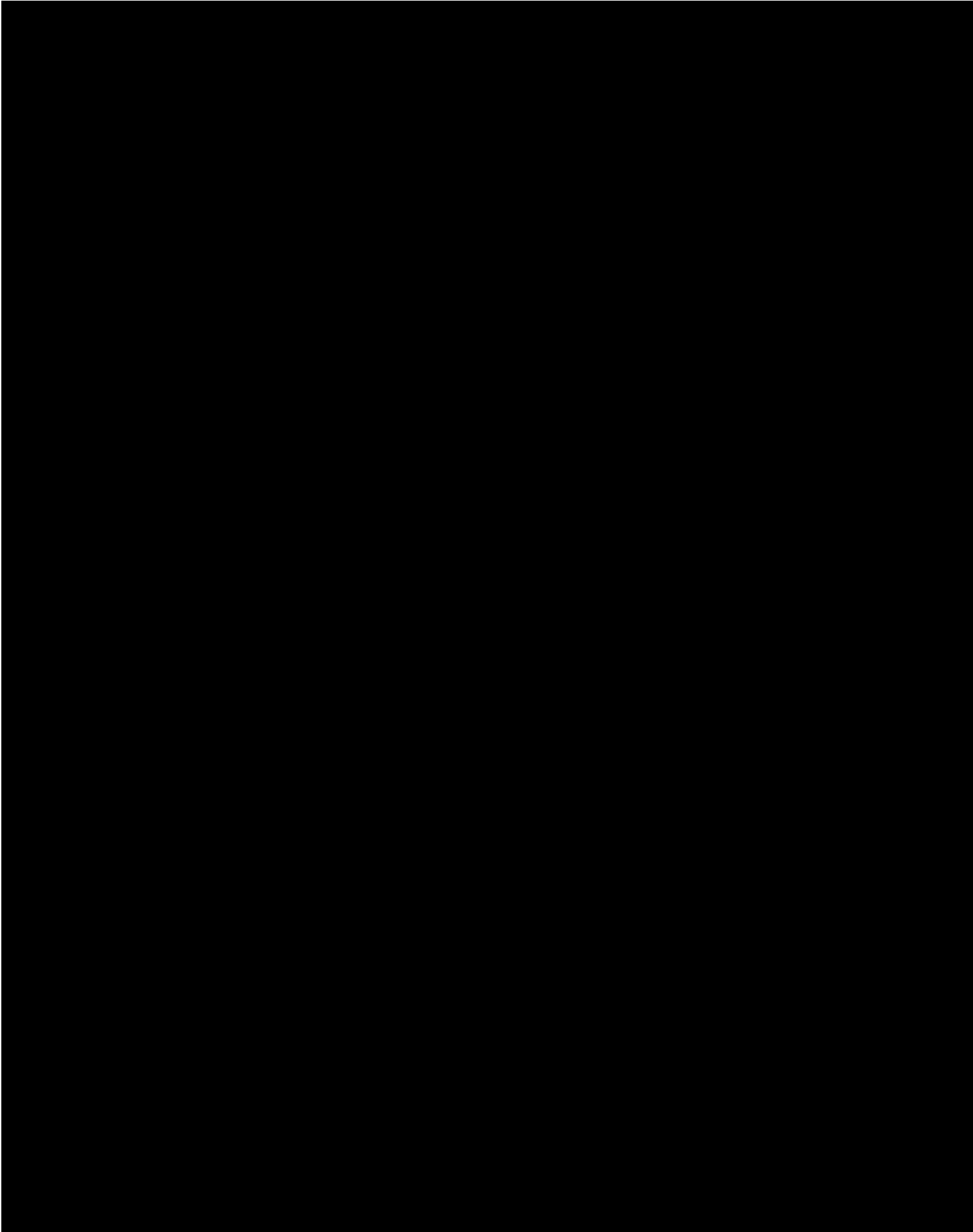


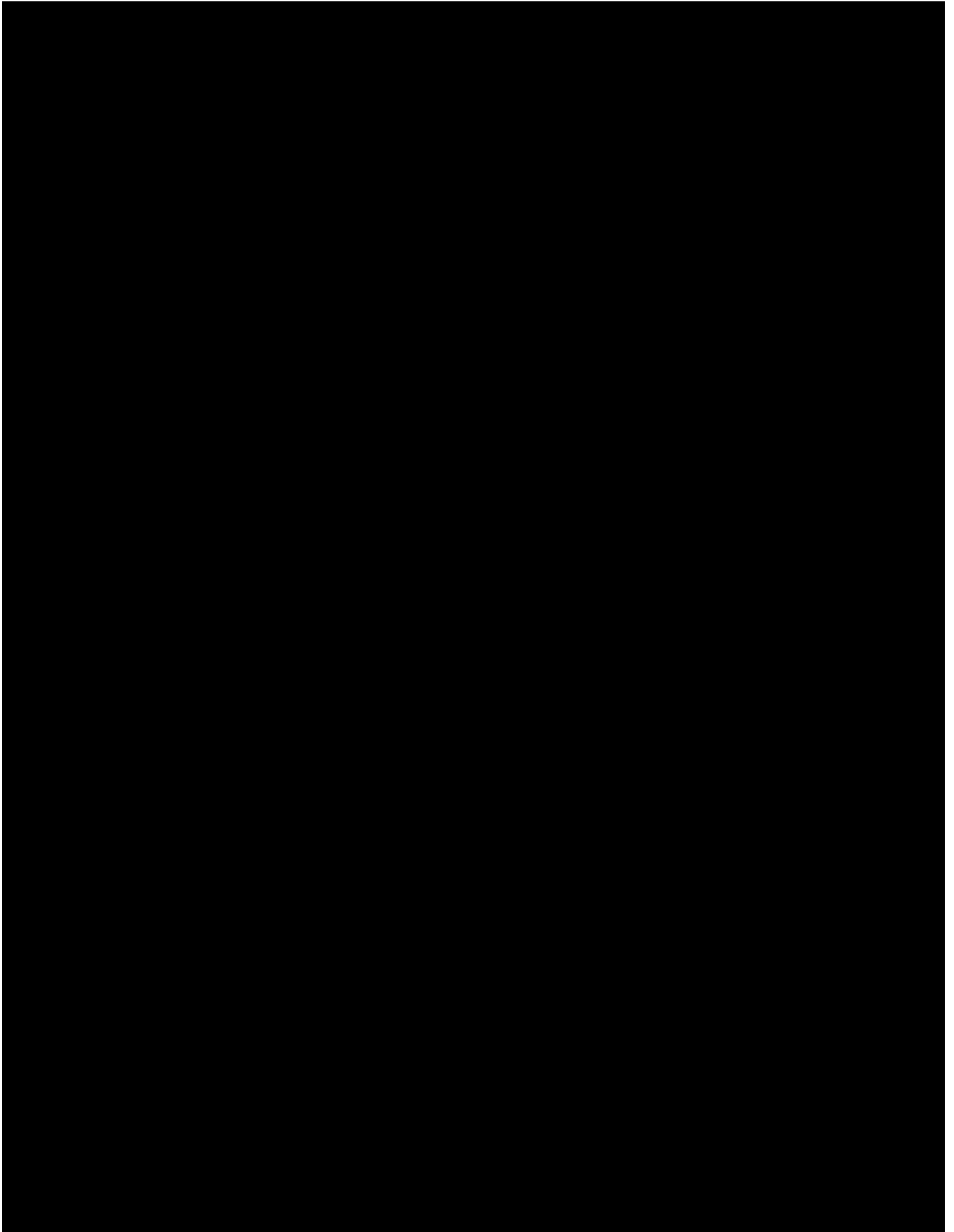
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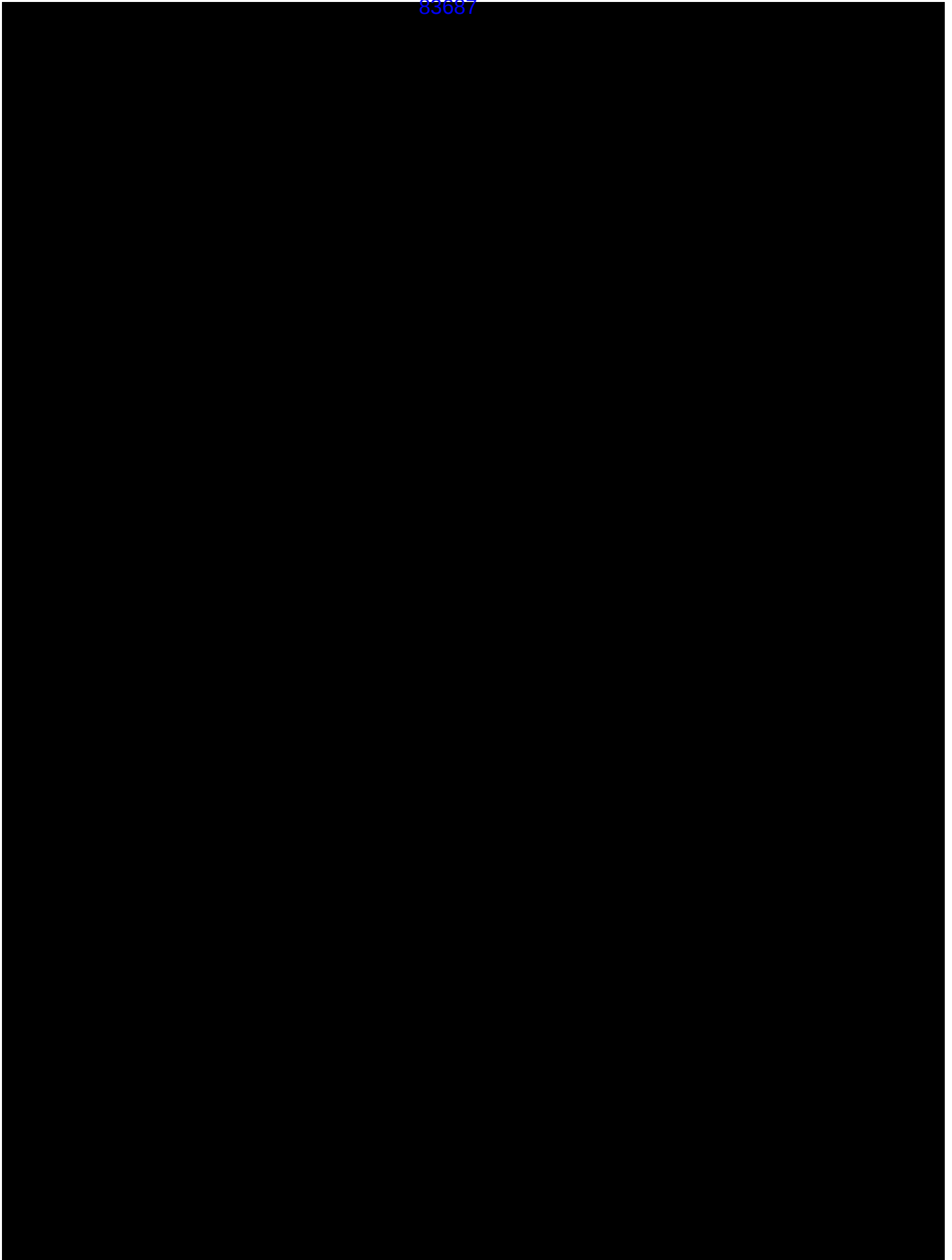


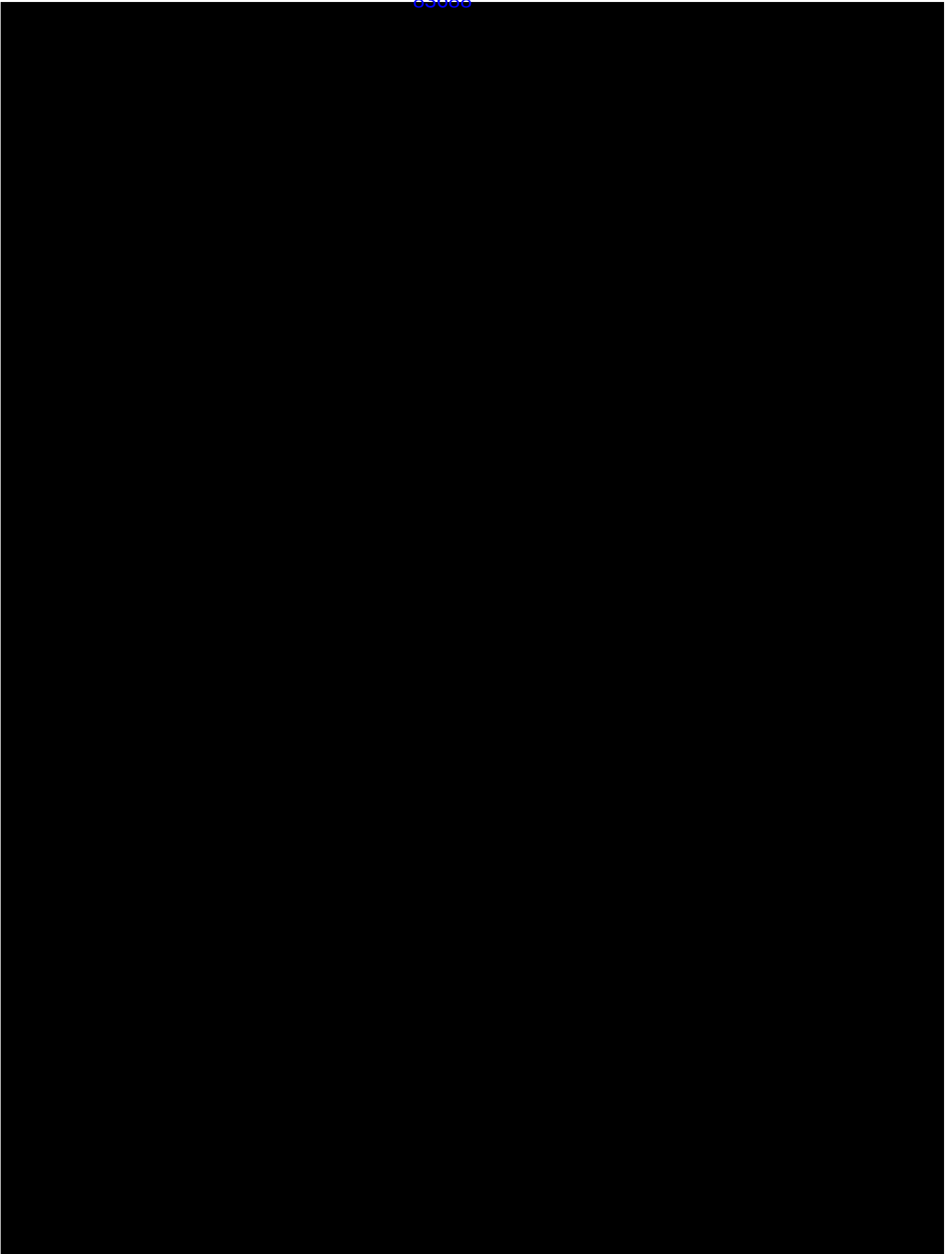


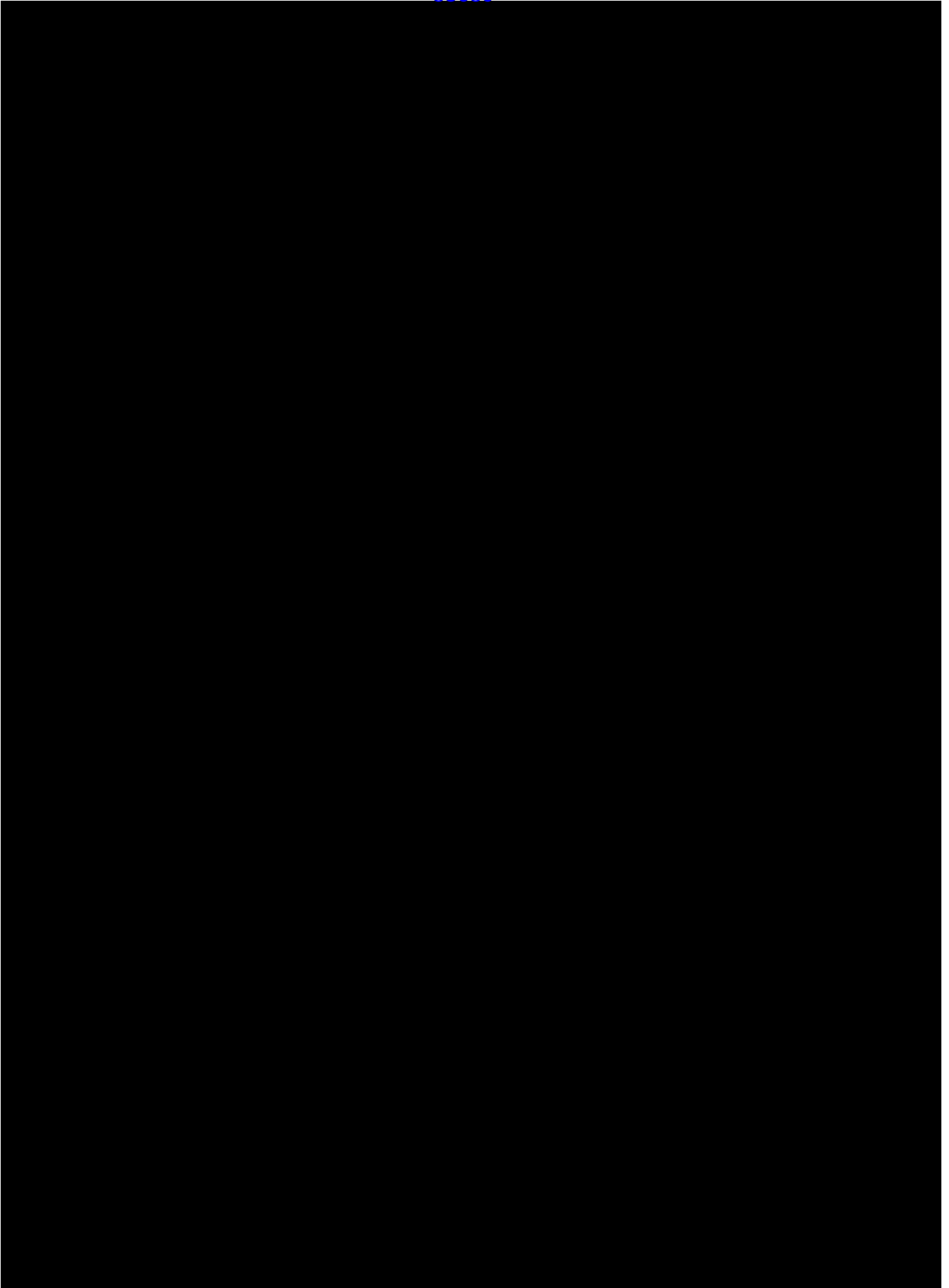


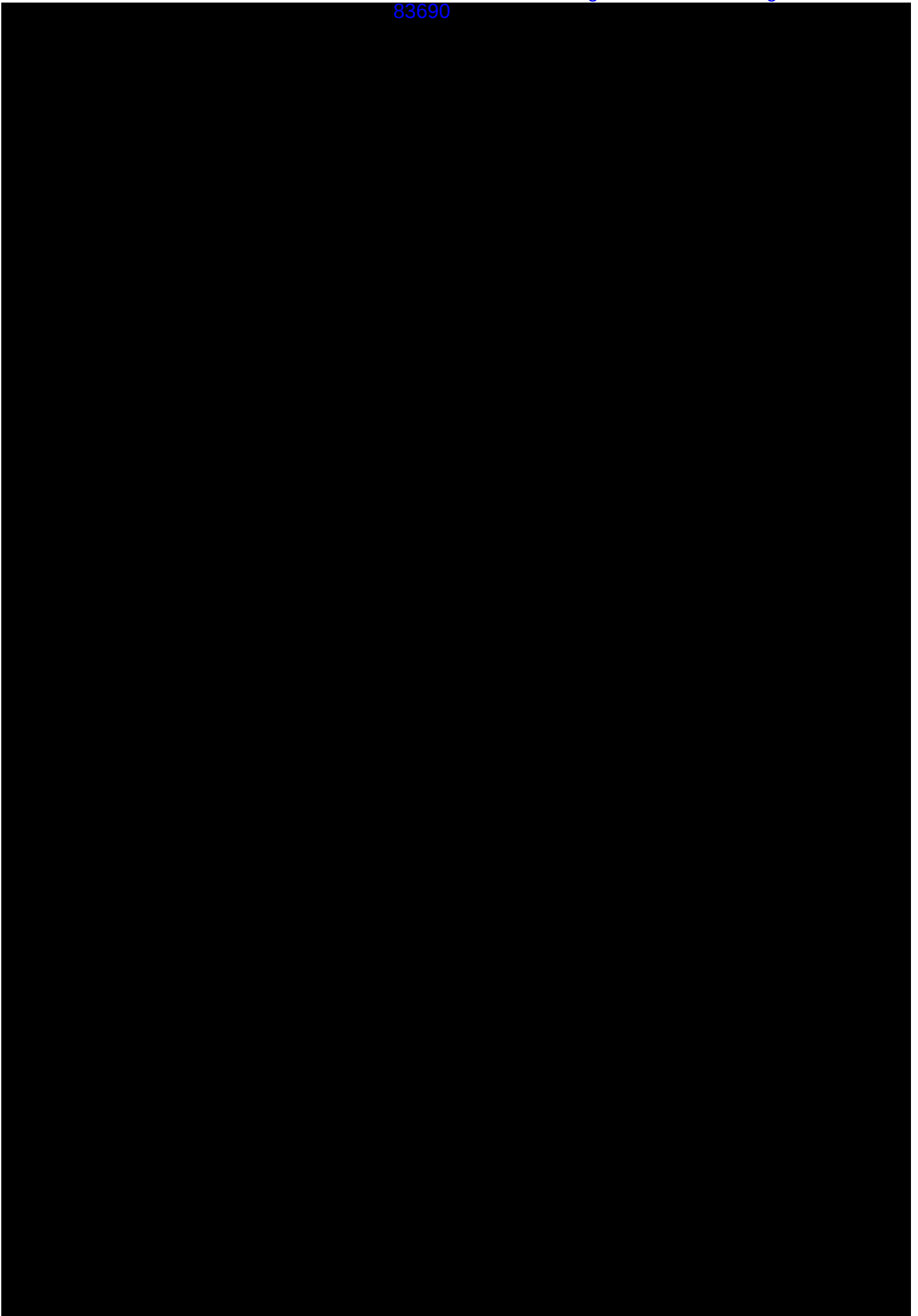


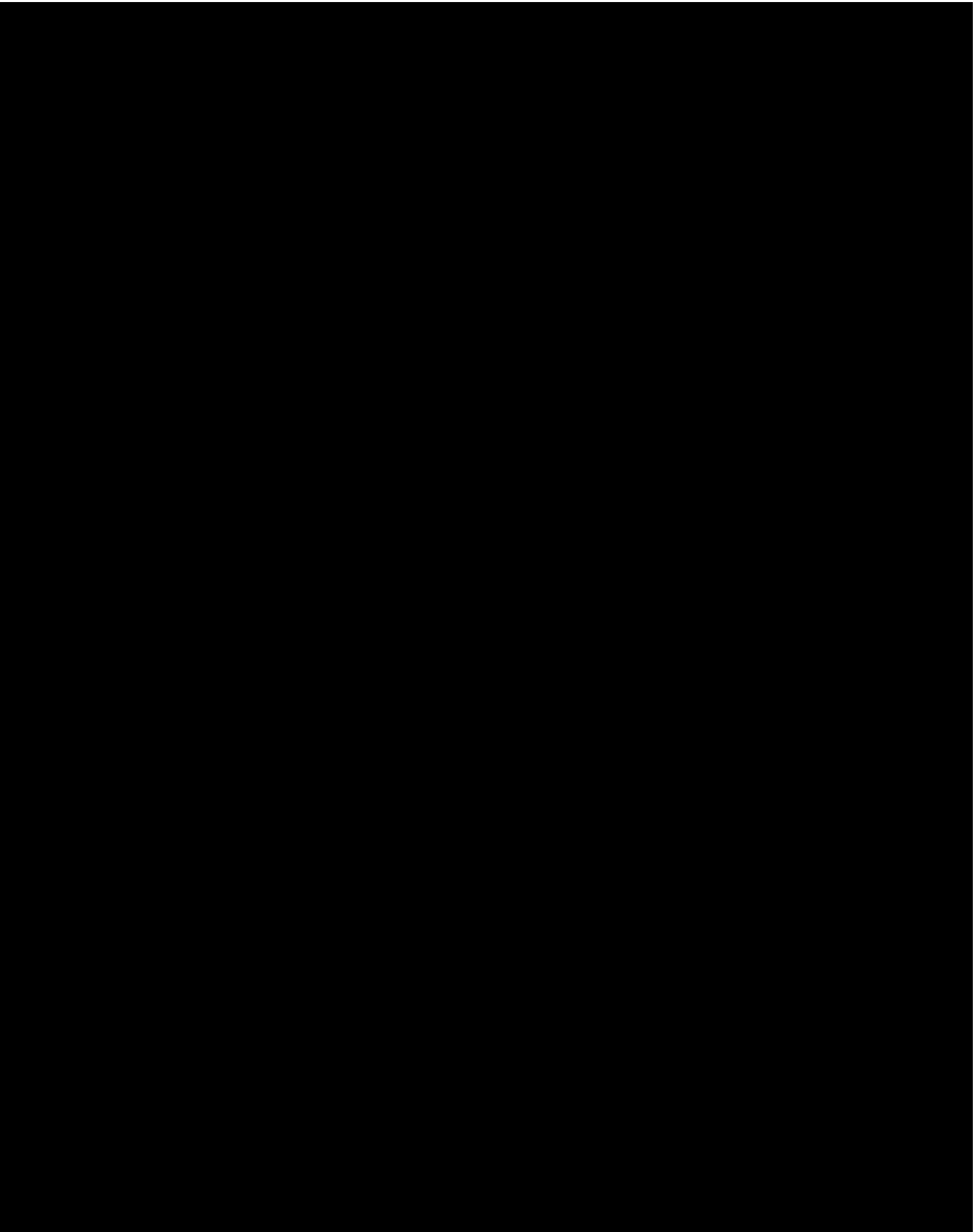














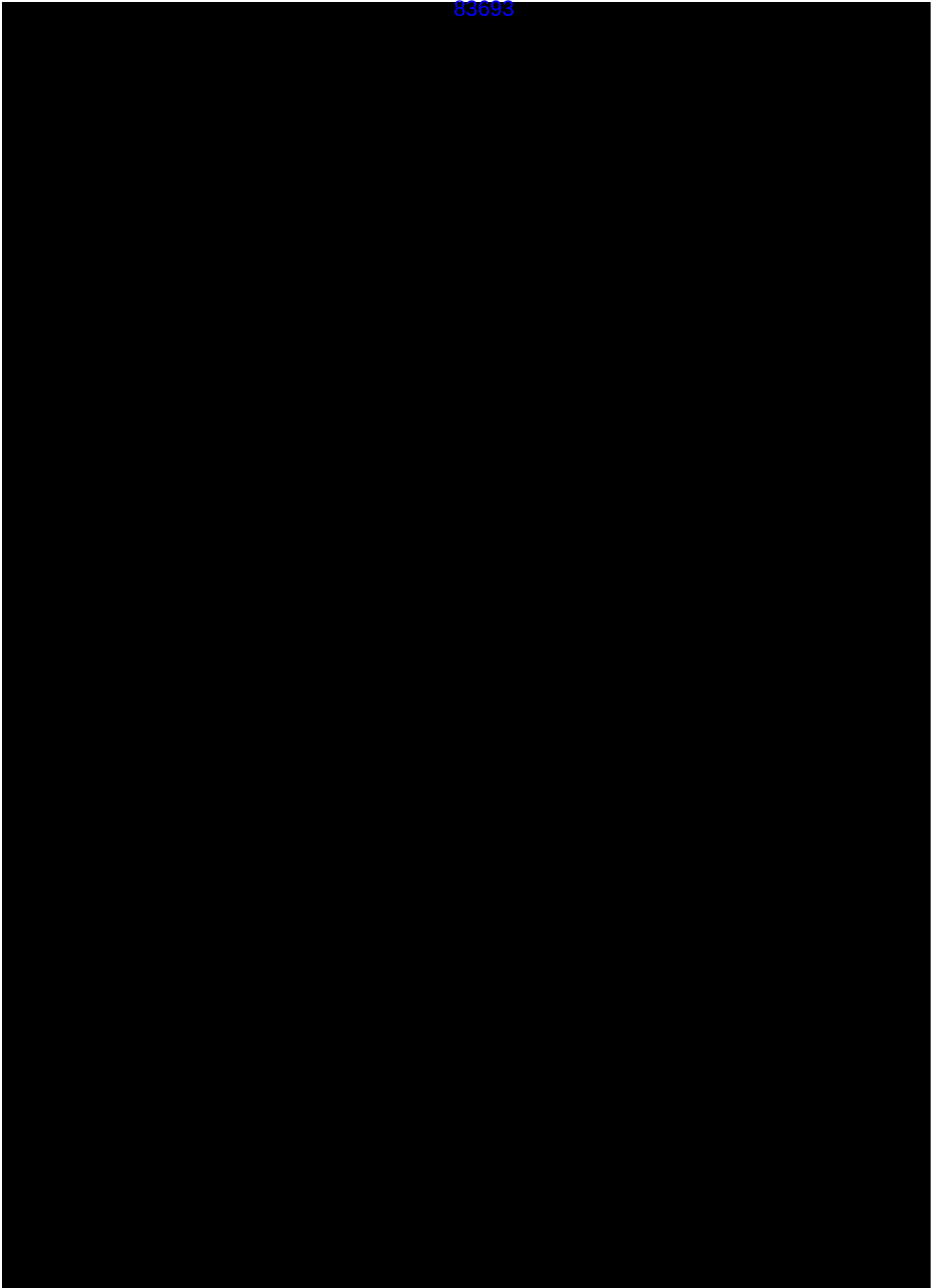


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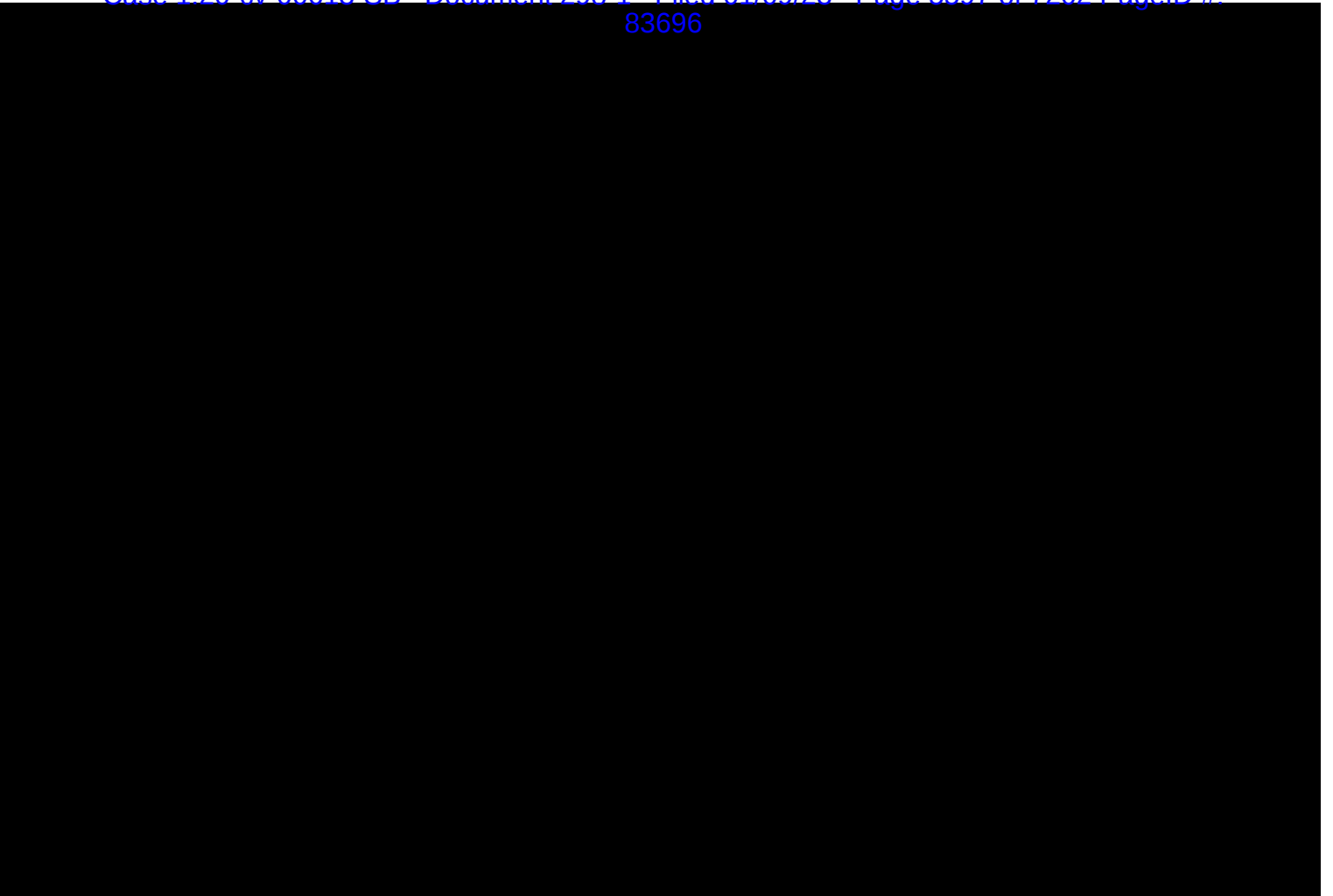
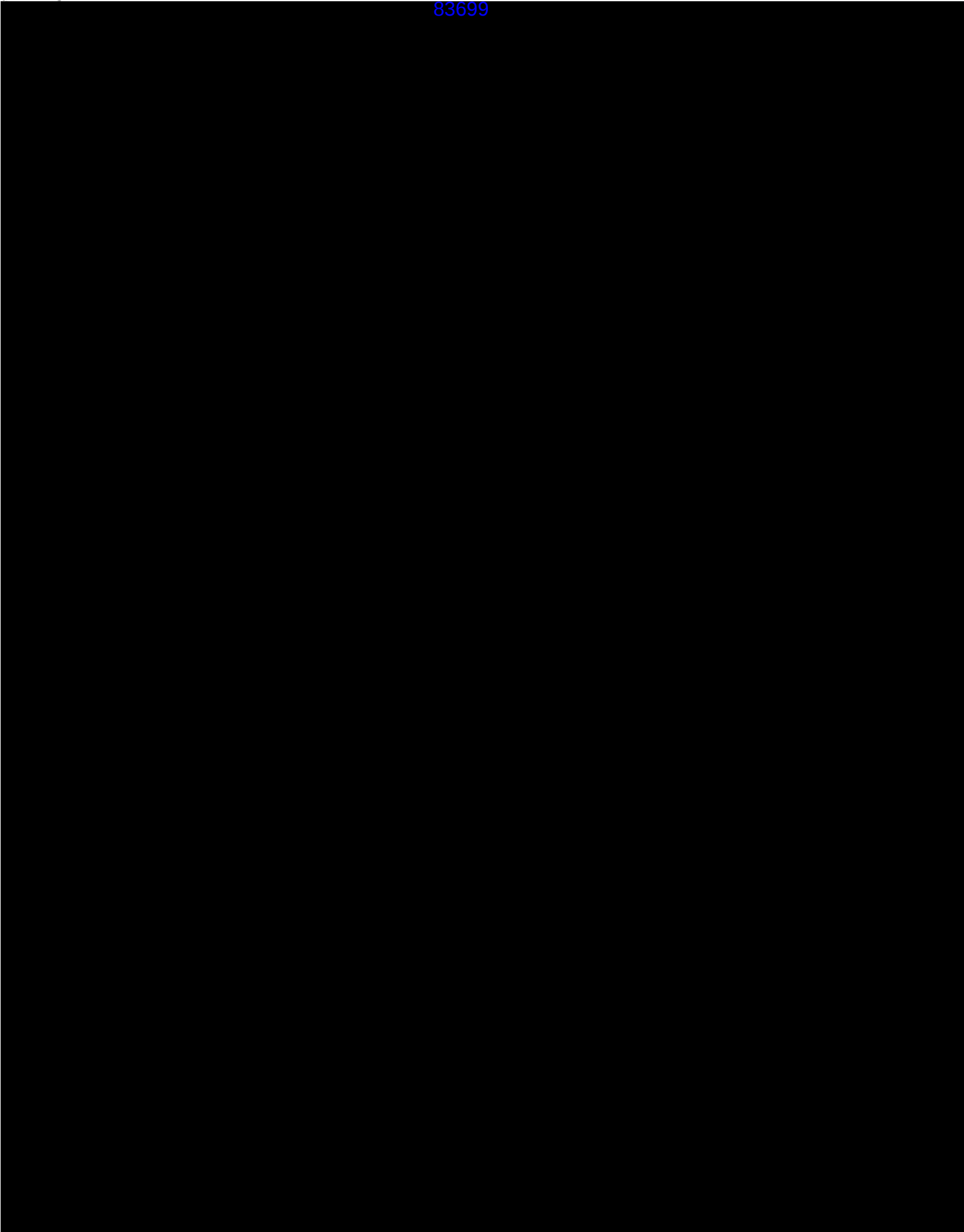
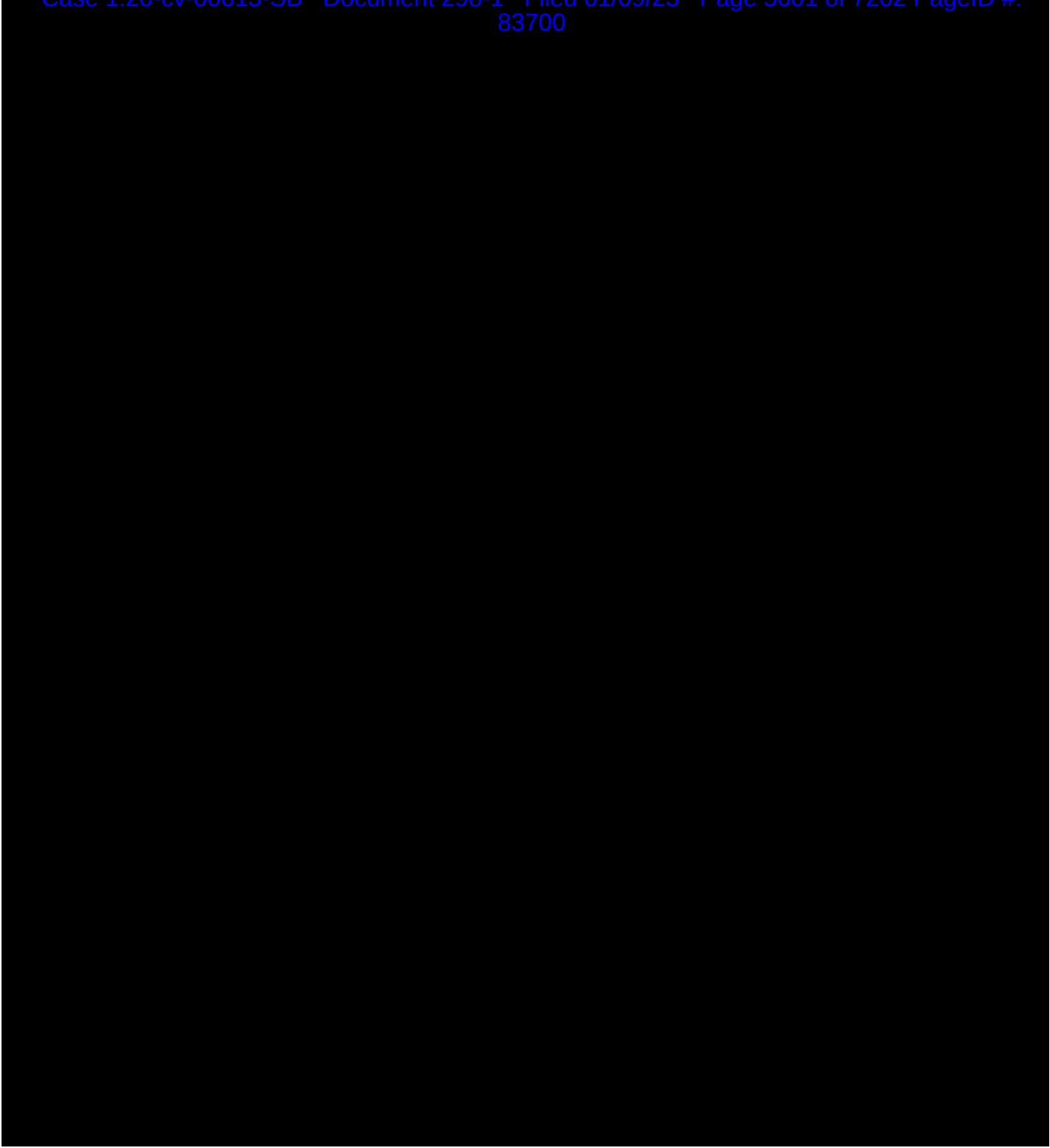


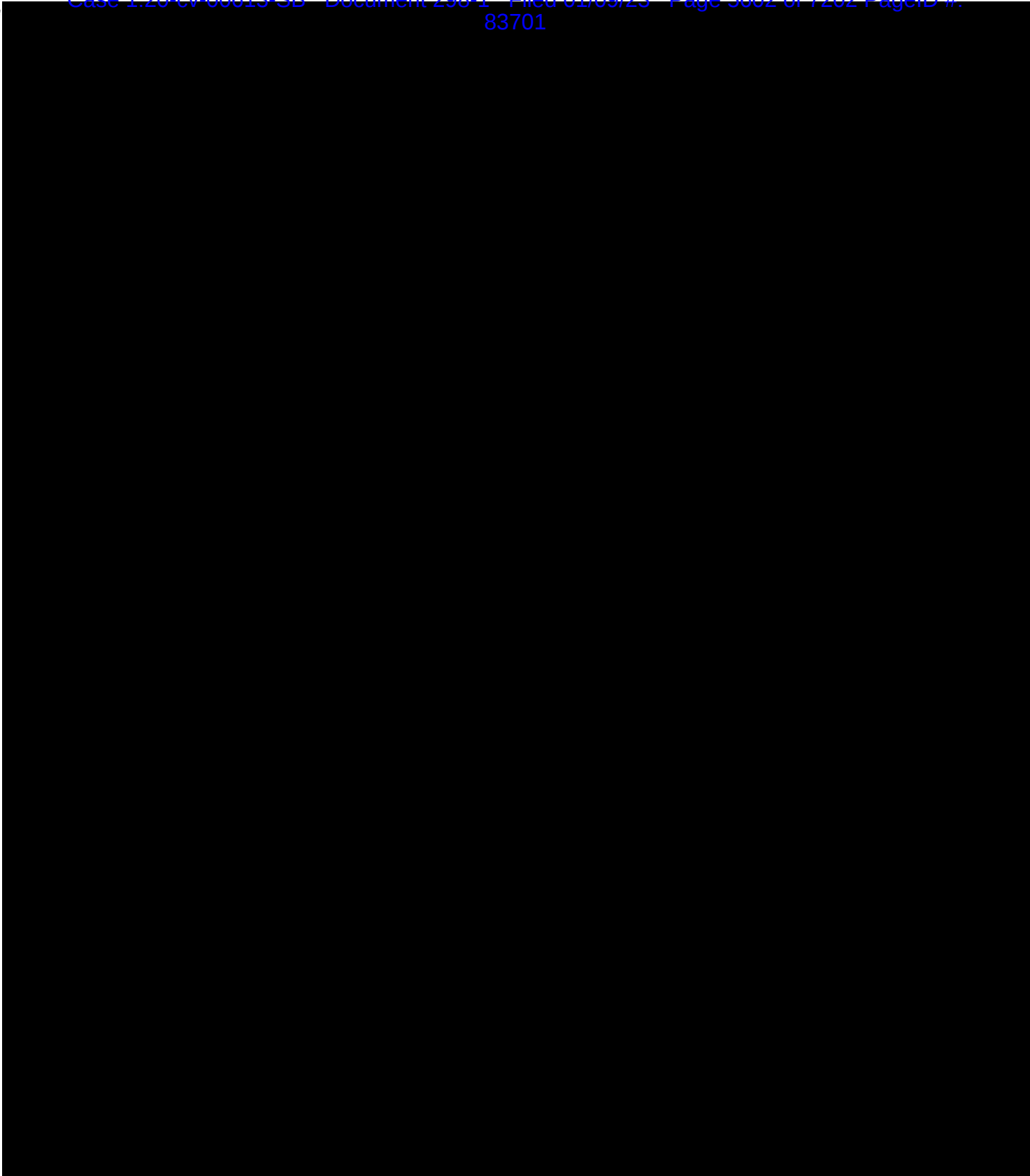
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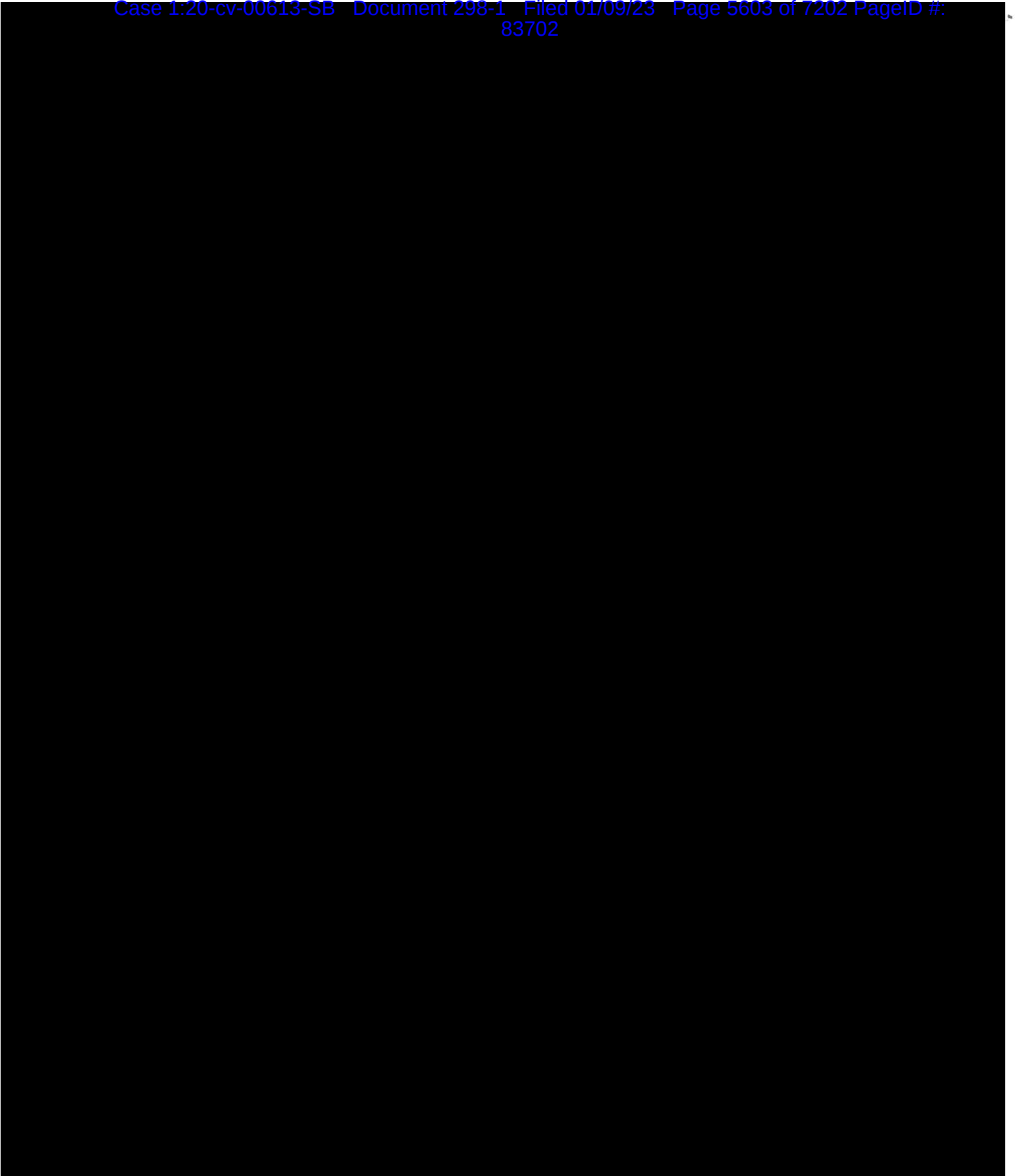
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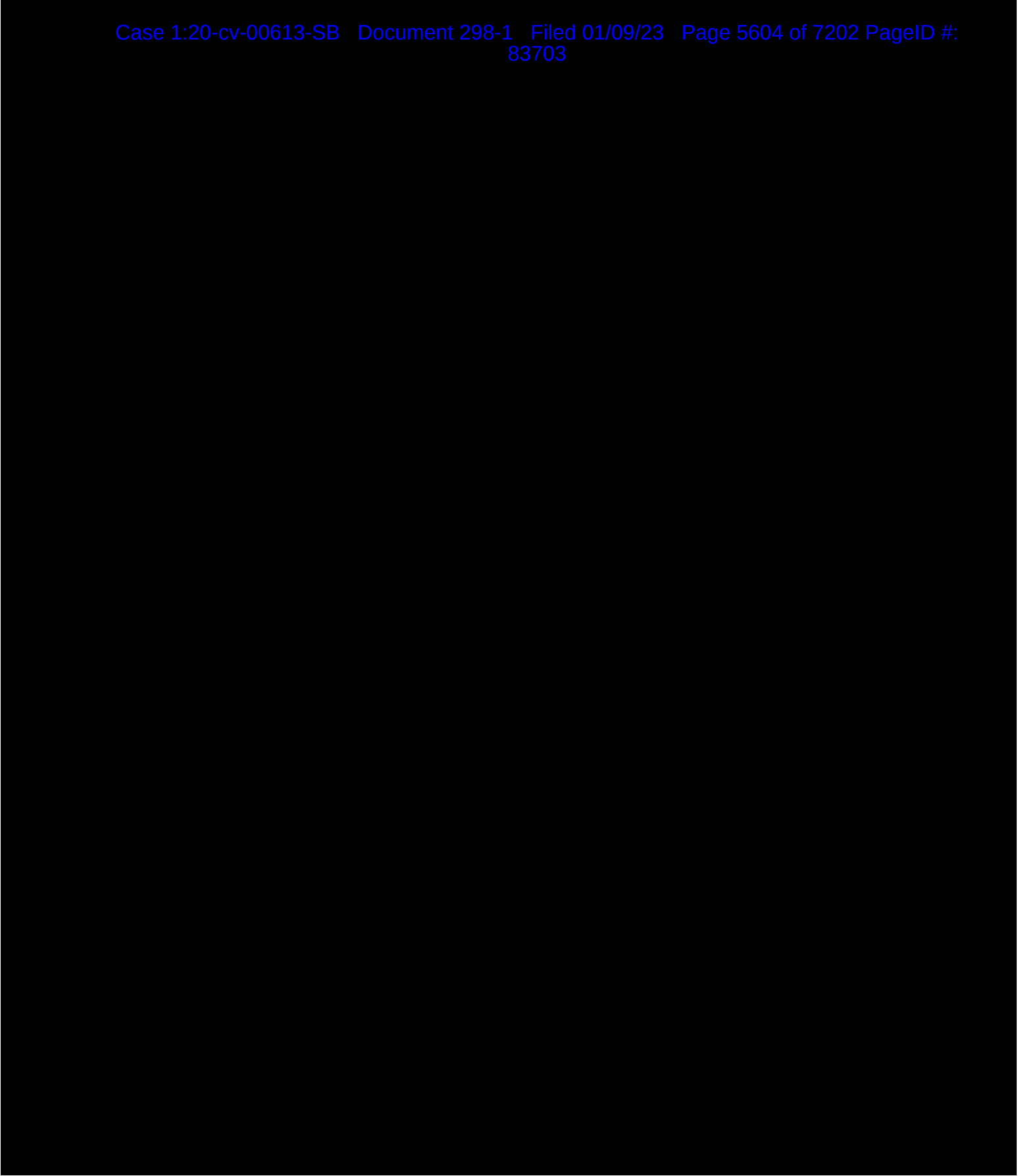
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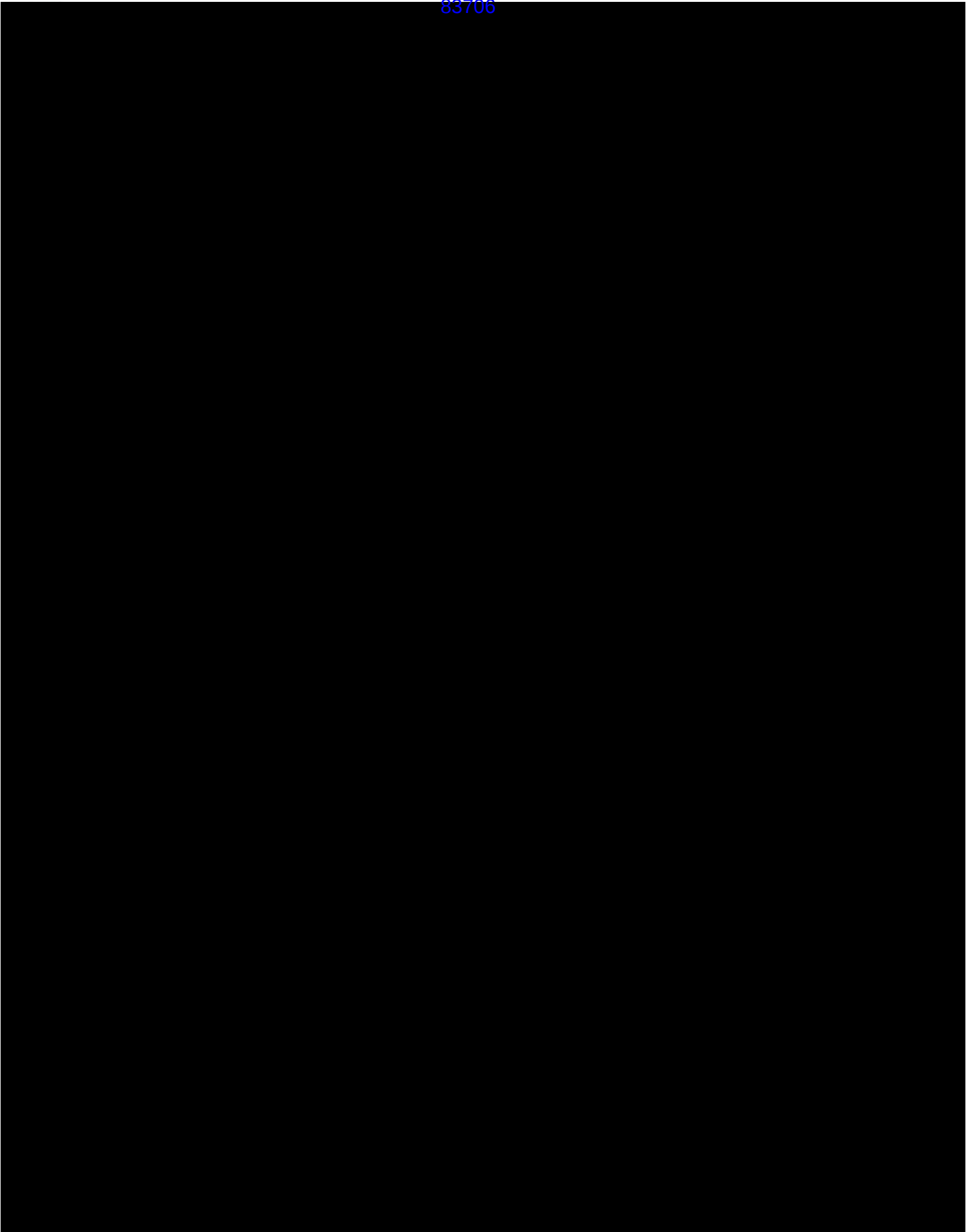


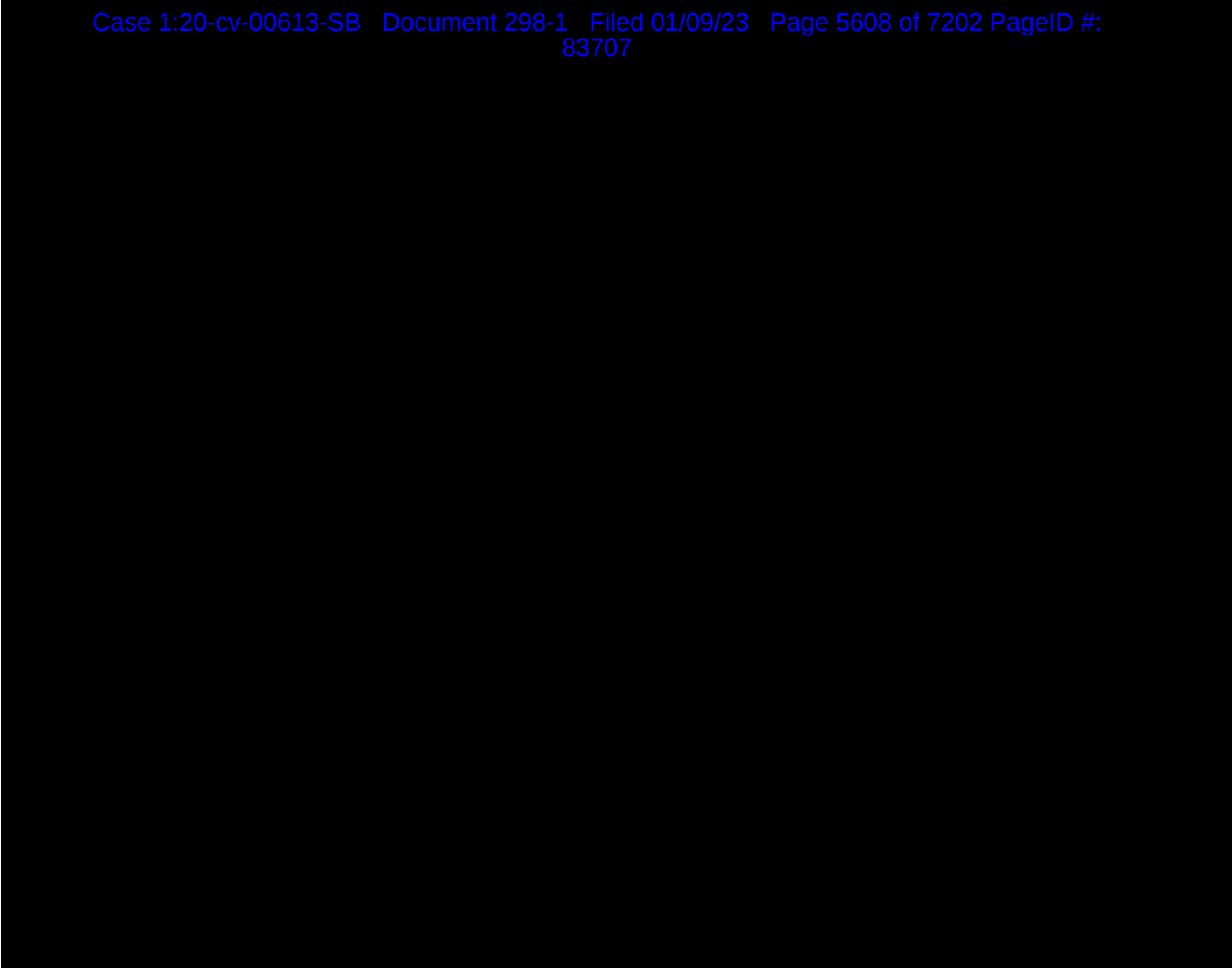


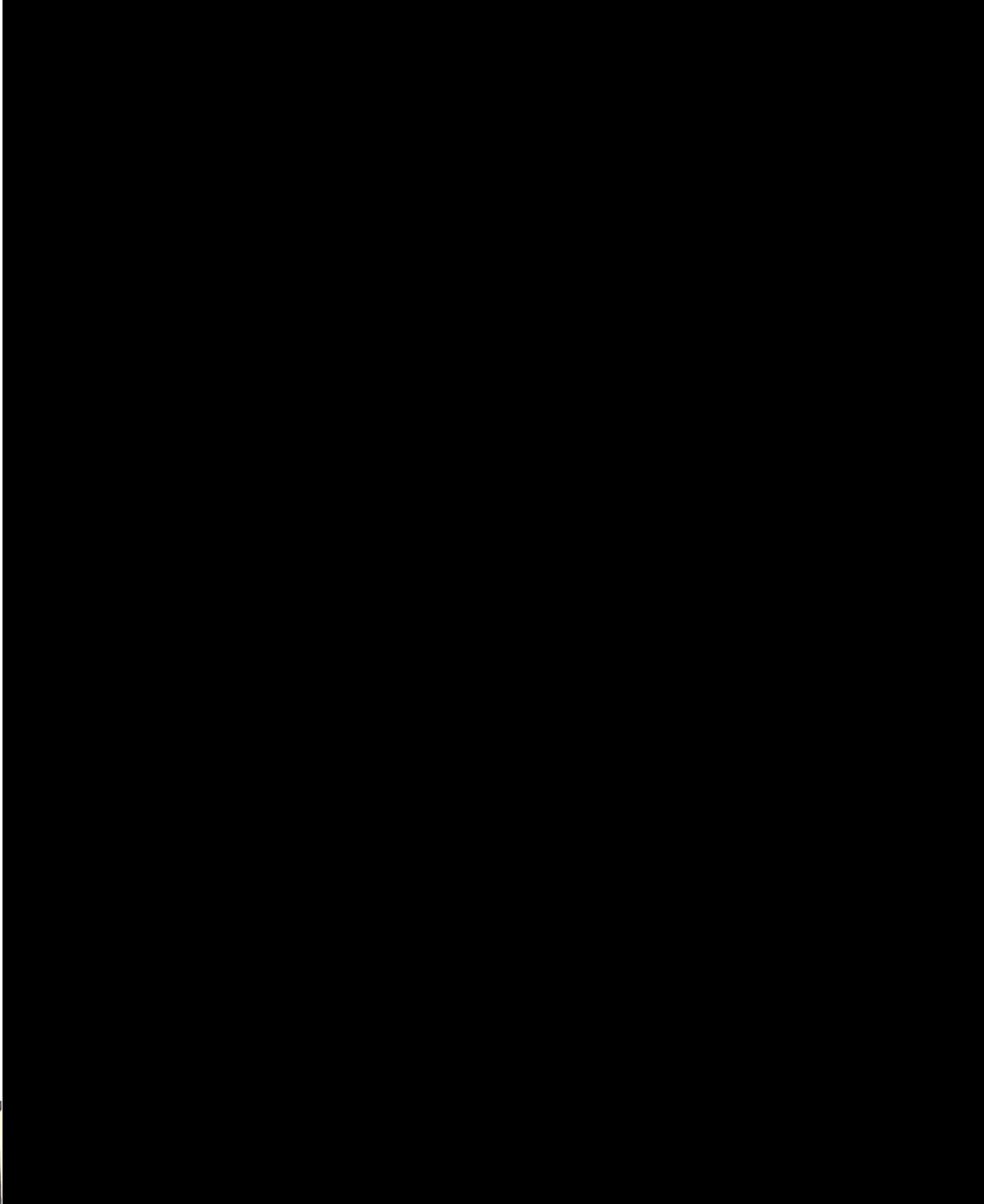


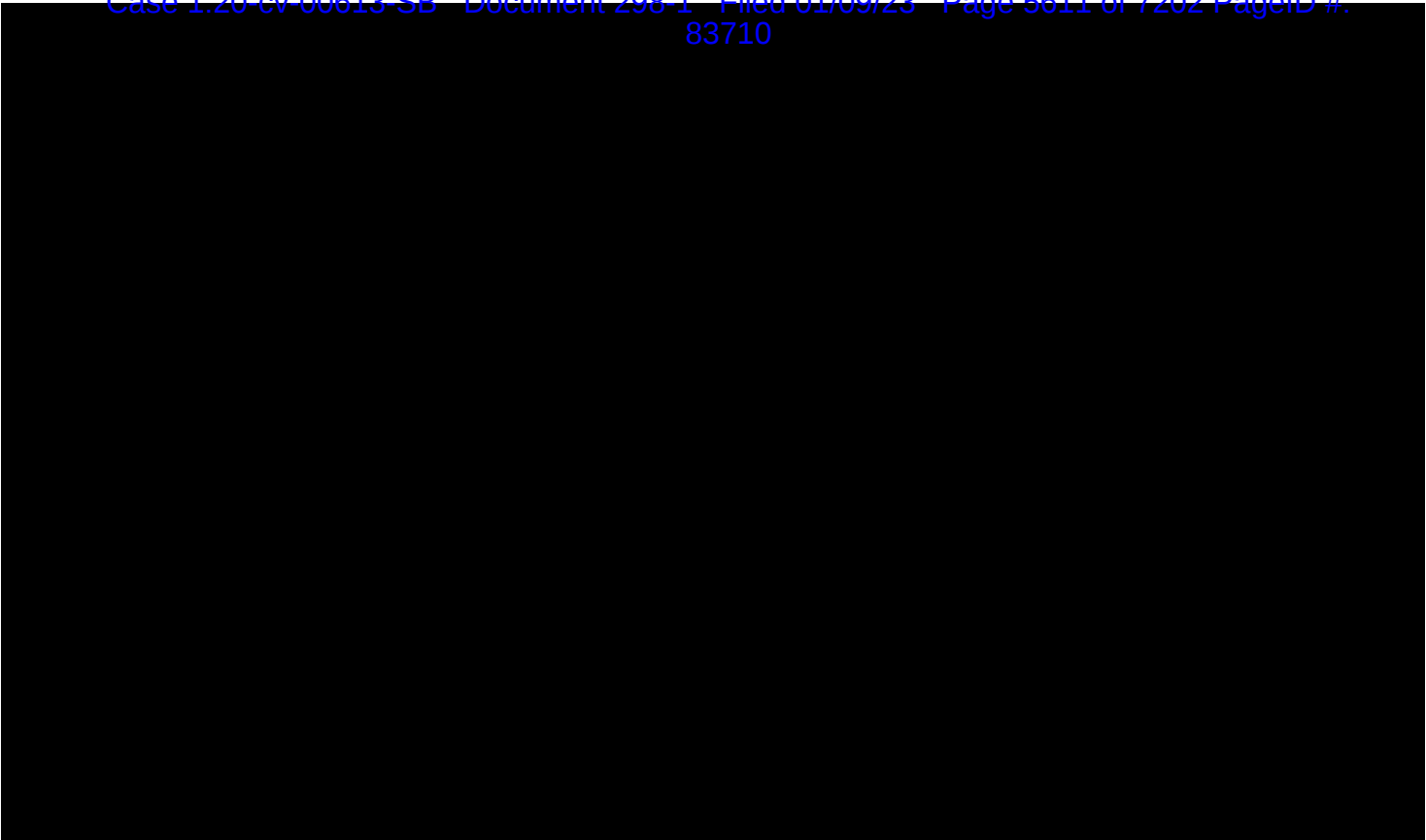


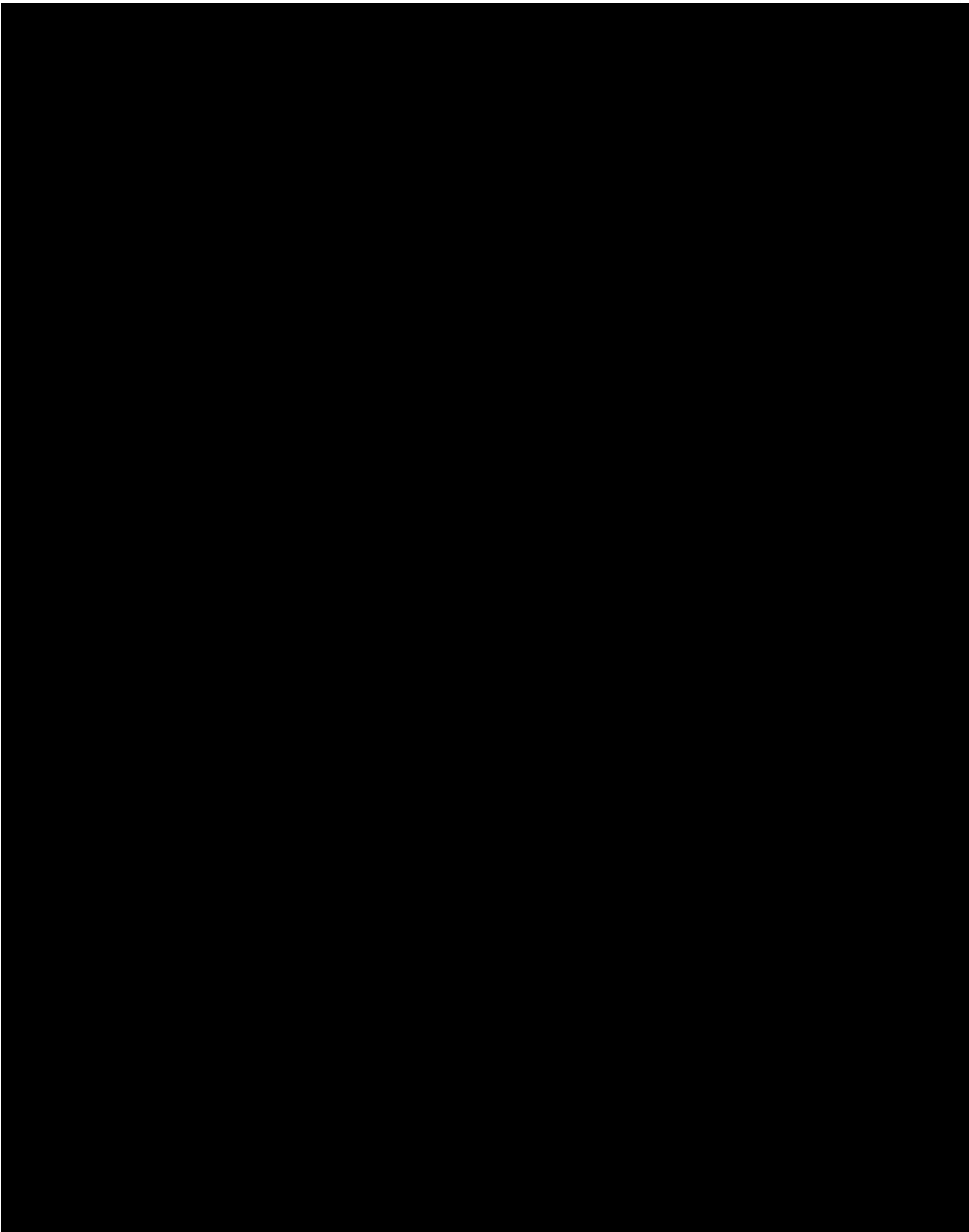


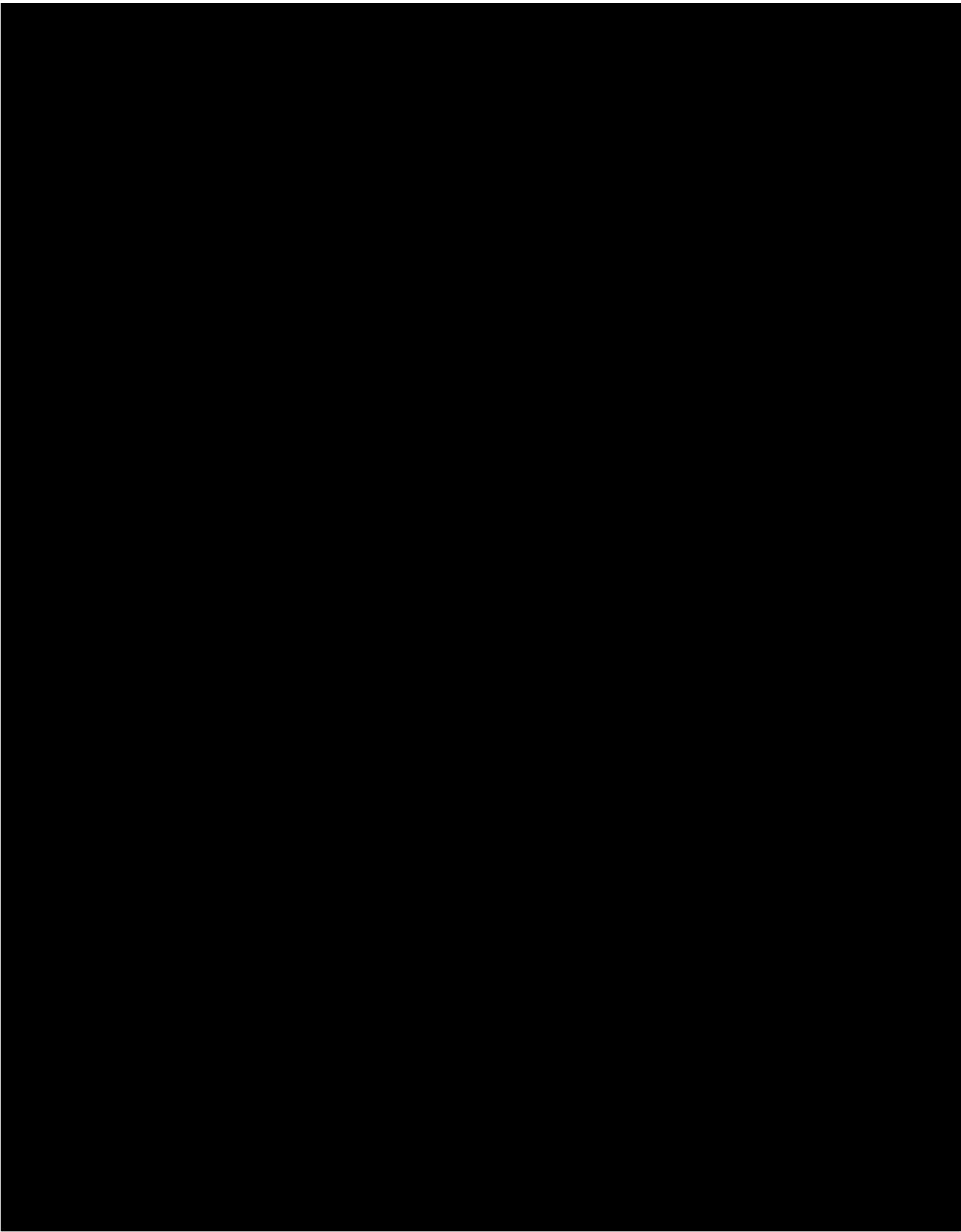


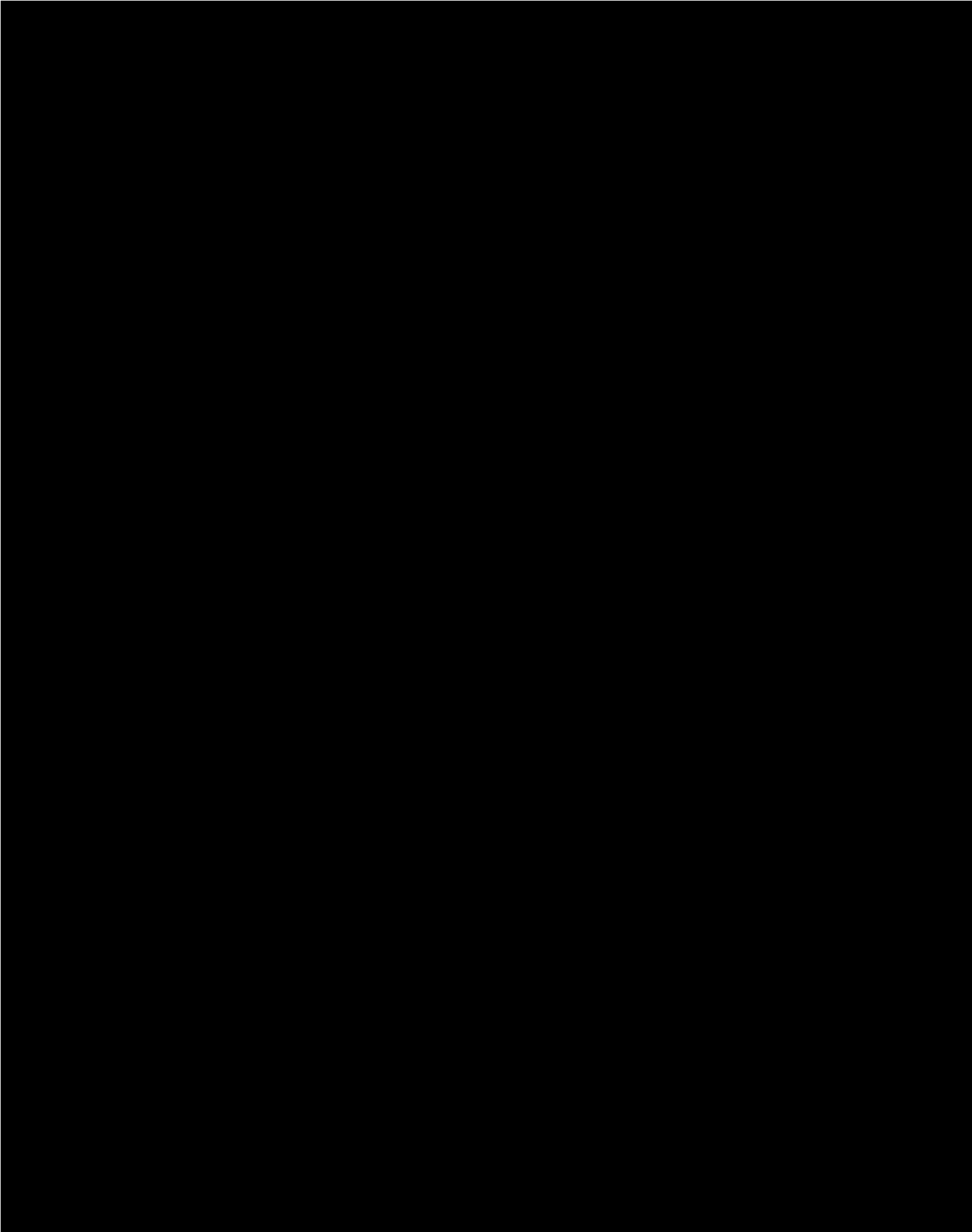


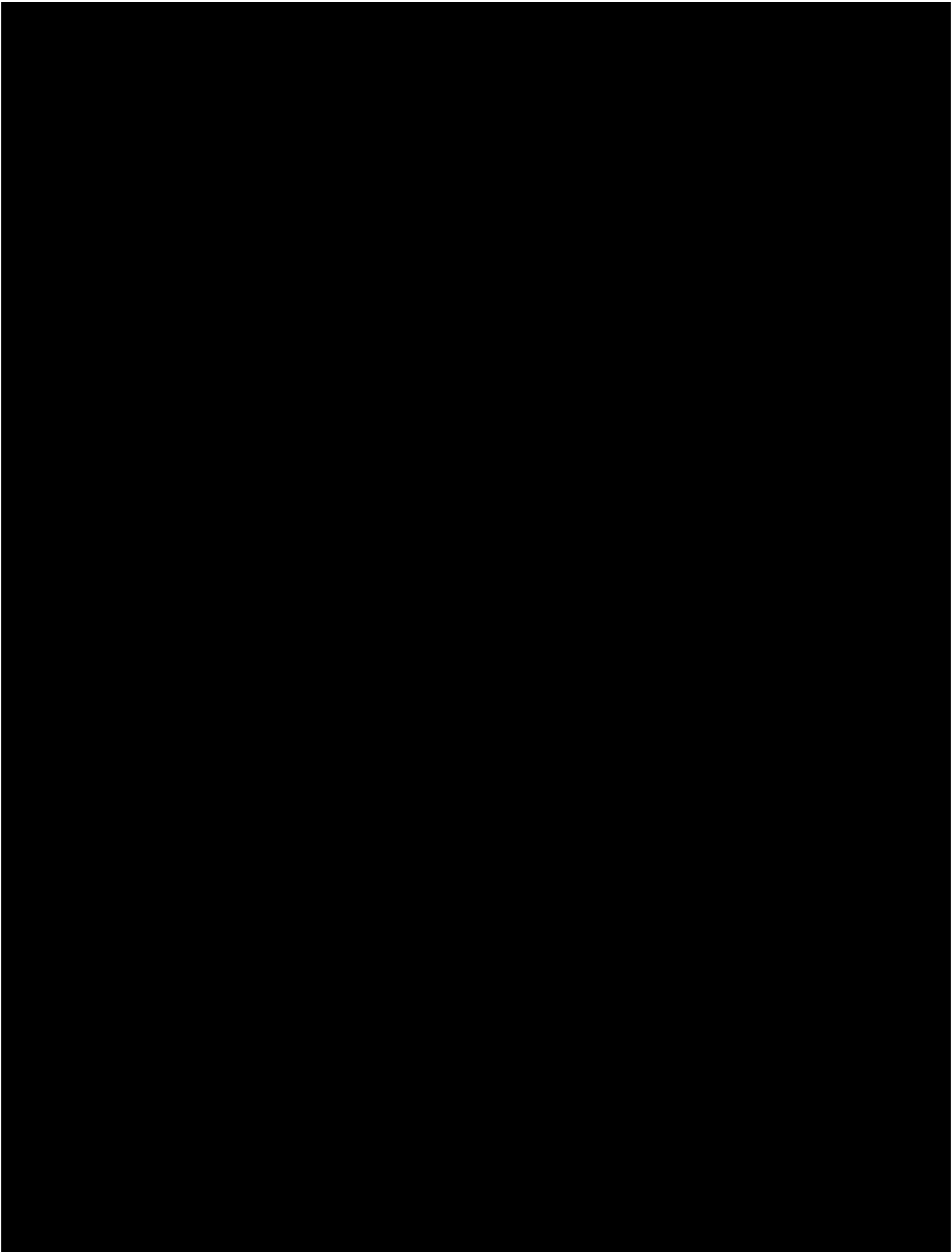


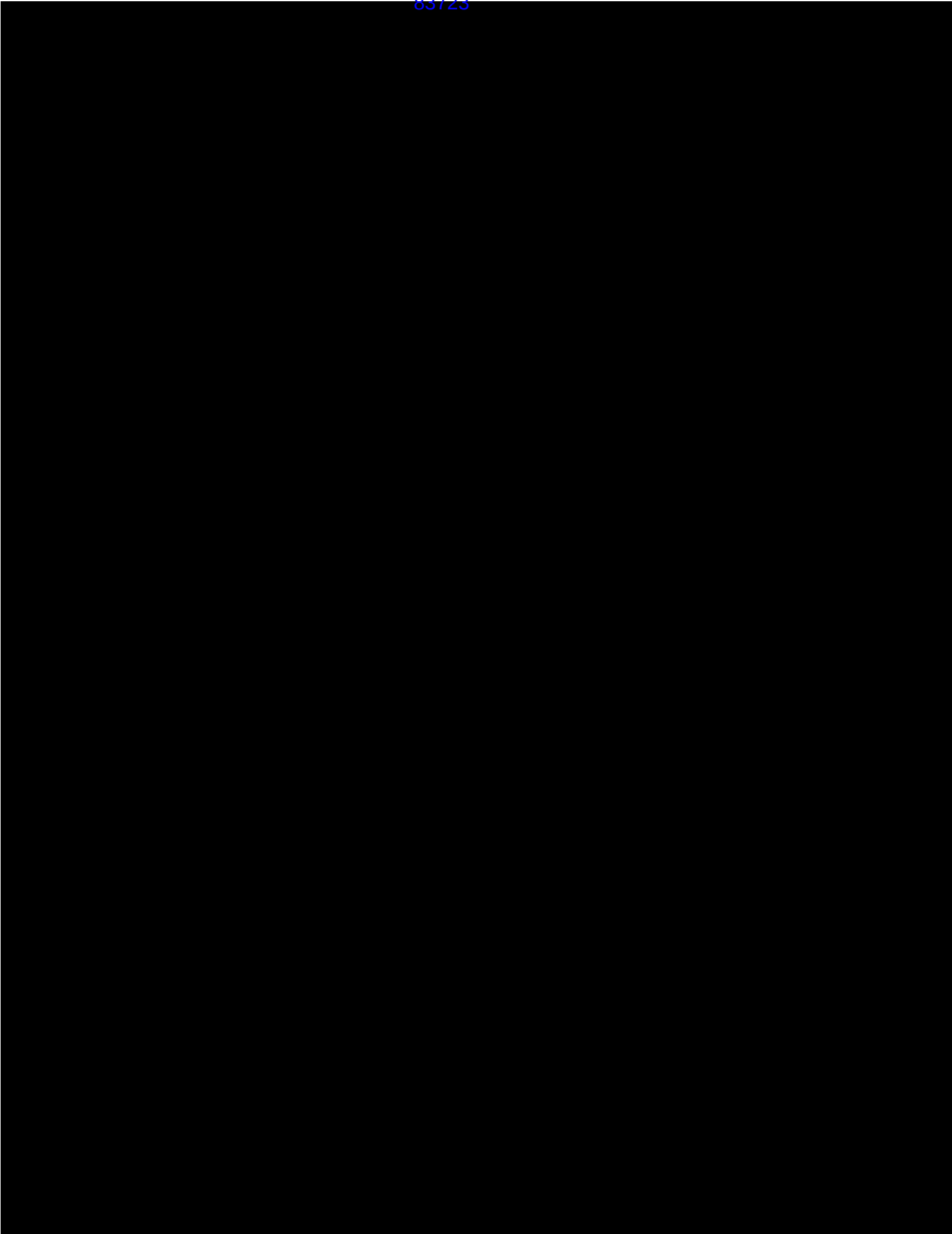


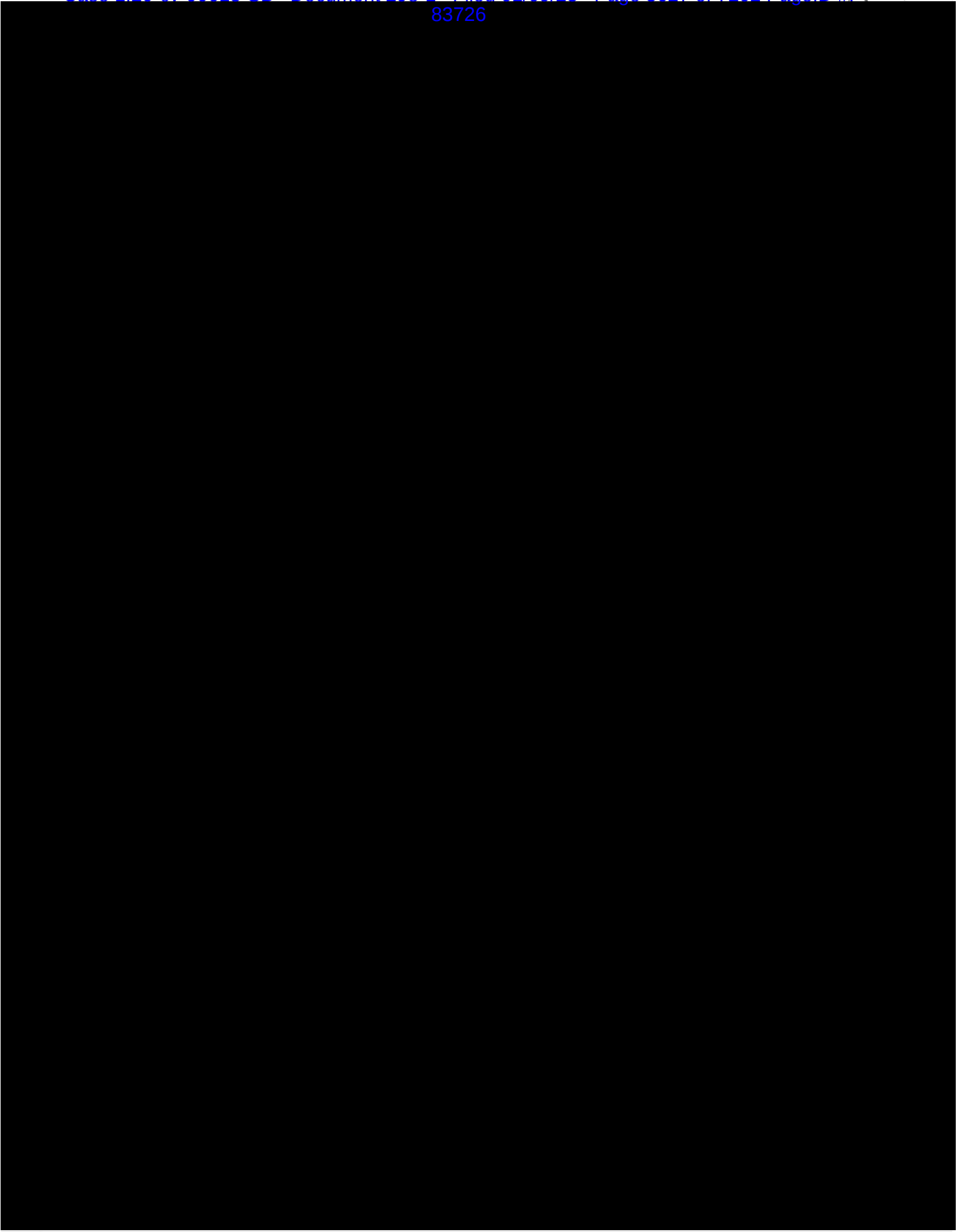


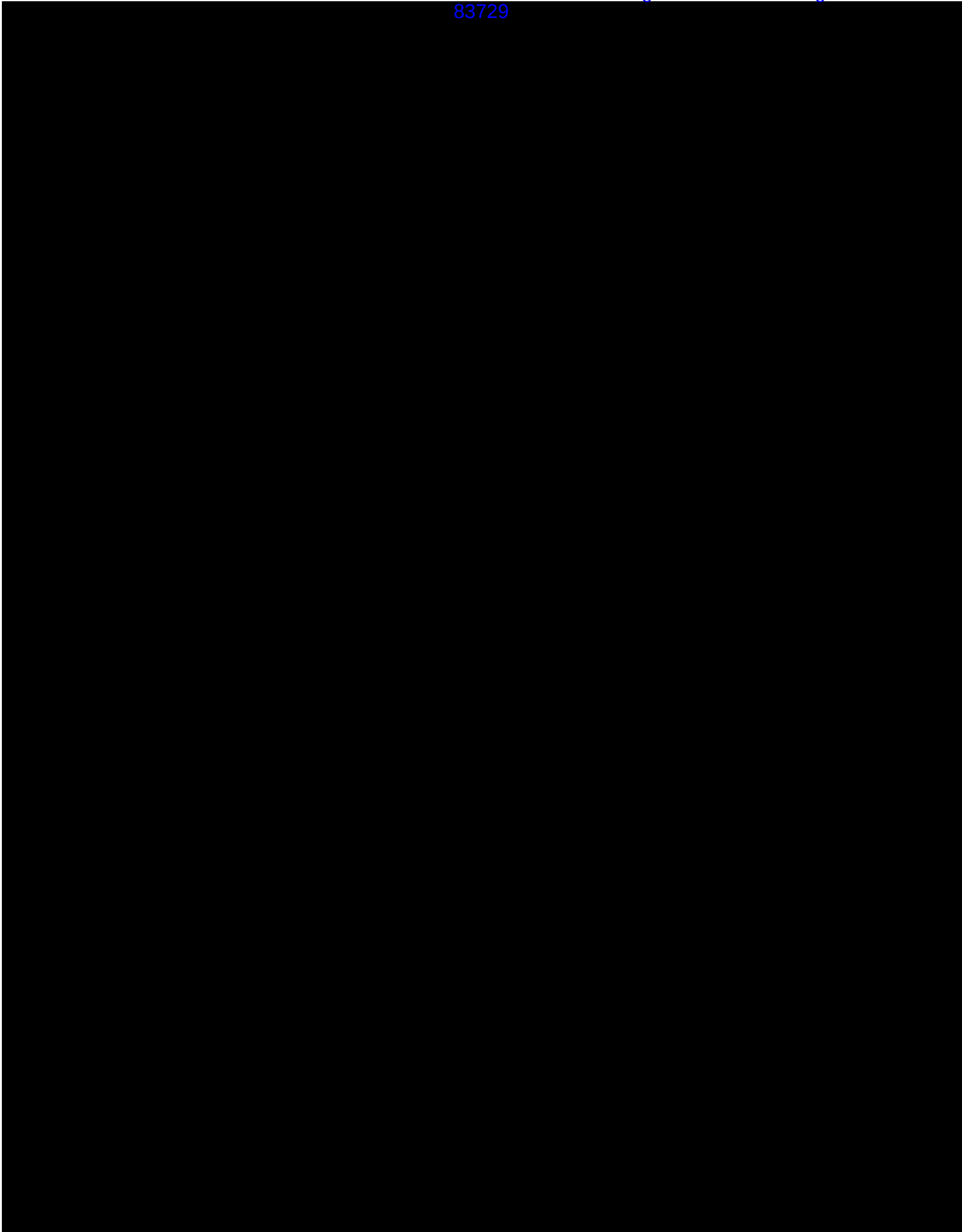


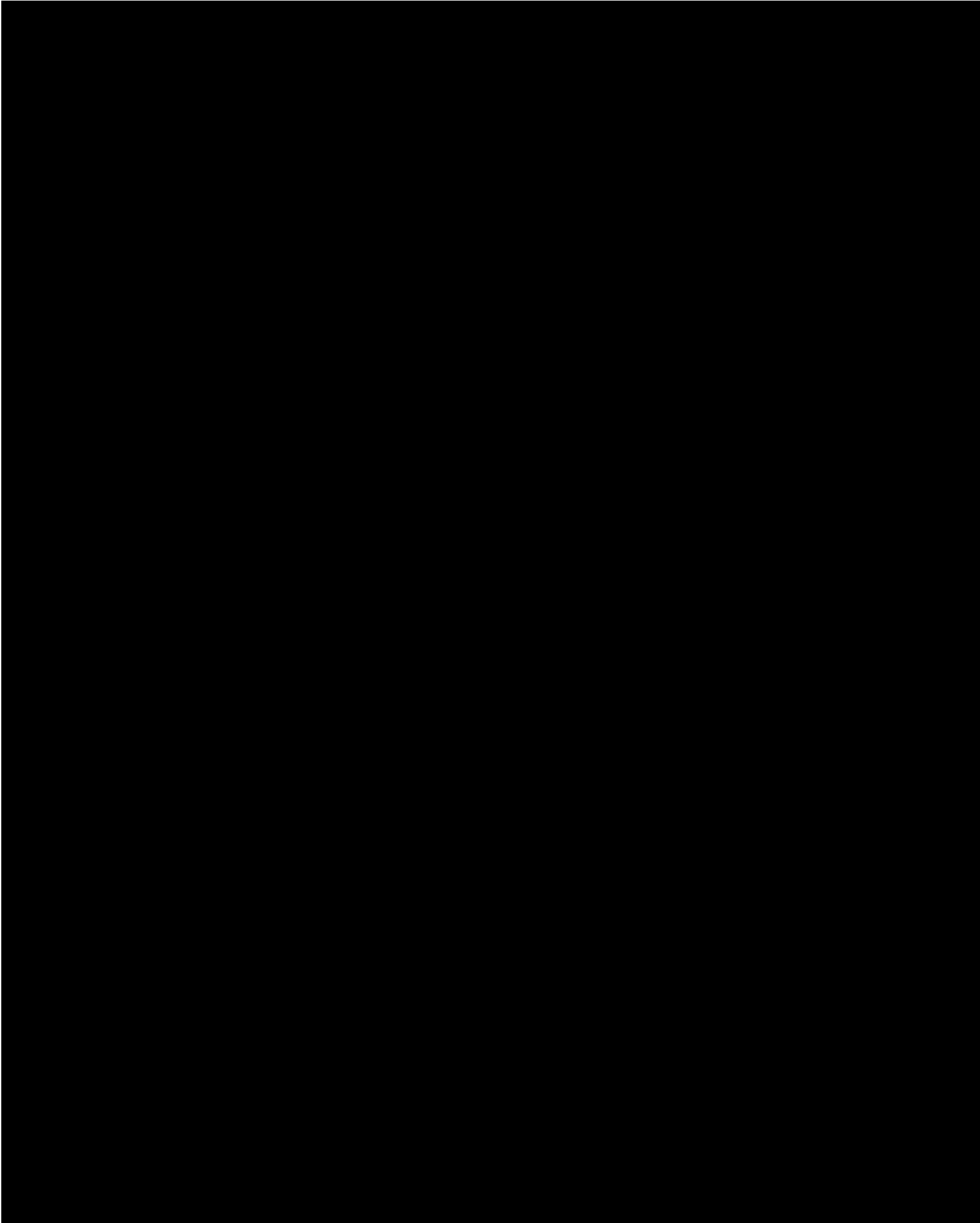


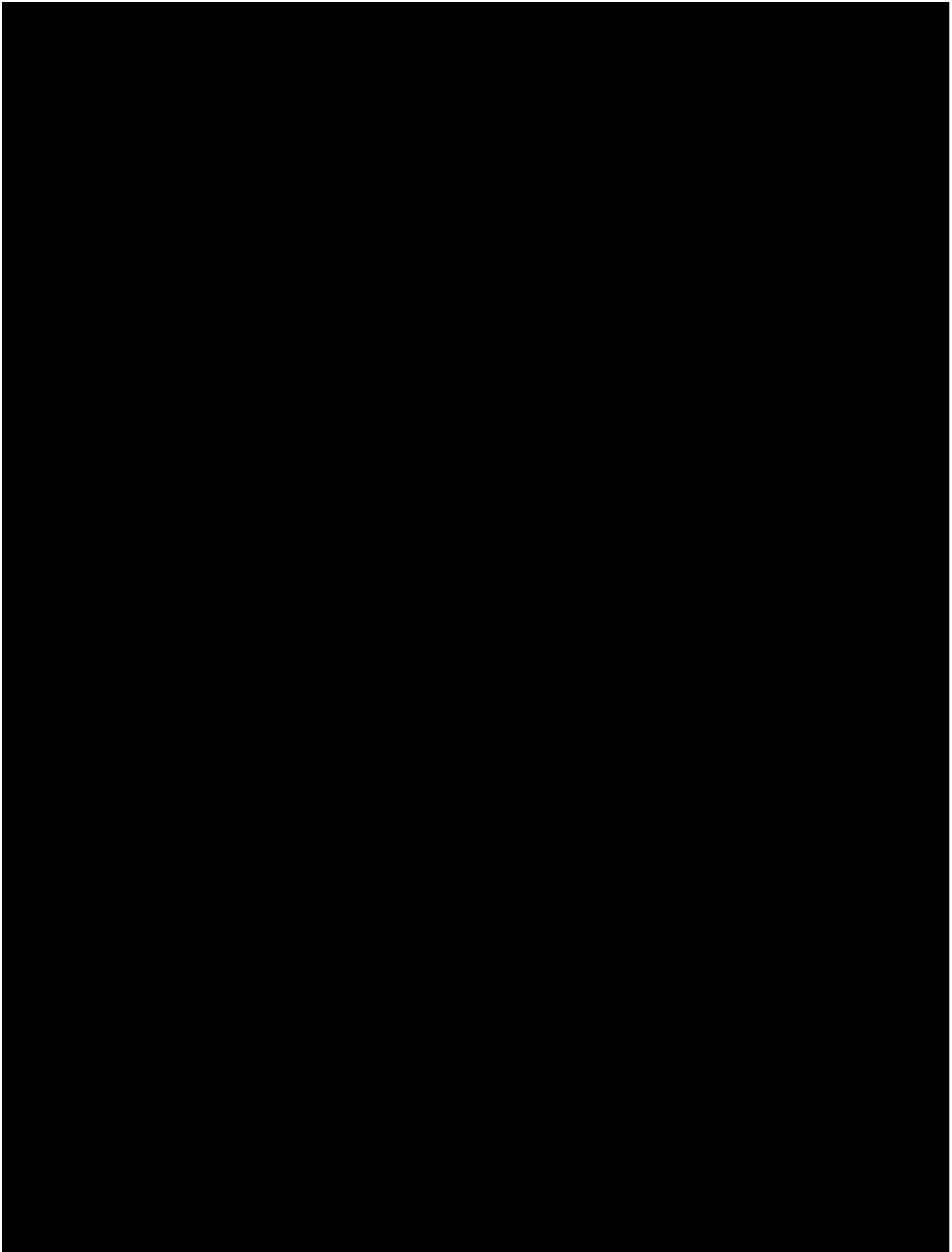












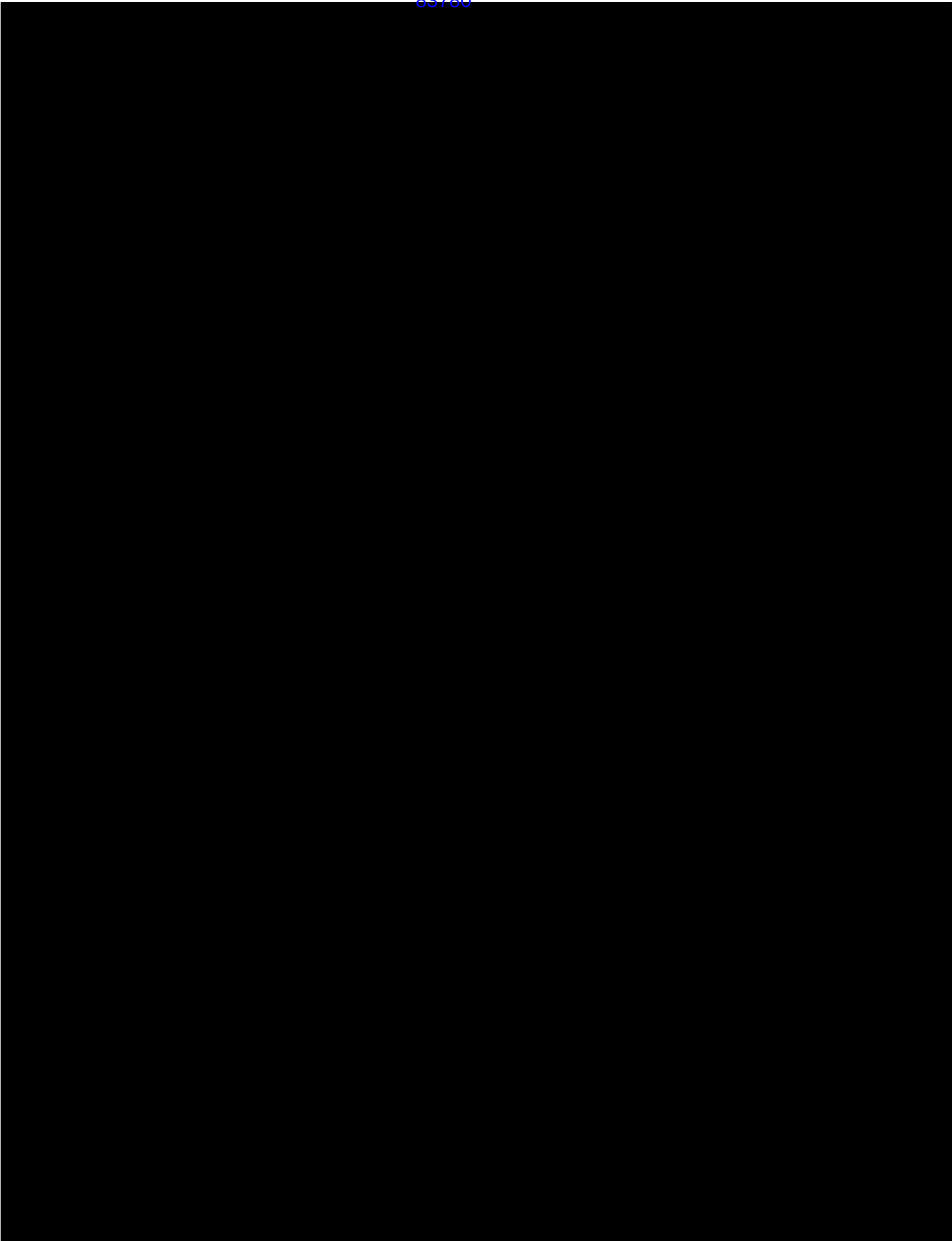


EXHIBIT 88



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Last revised: 02.12.18

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BATE4986

TR-0039844



(Minn.App.1985).

Then in the Reference List you would actually have two entries for this one footnote. They would look like this:

Issue: Under Minnesota law, how is a marital lien perceived?

Case 1: *Bakken v. Helgeson*, 785 N.W.2d 791, 794-95 (Minn. Ct. App. 2010).

Docket Number: xyz

Quote 1: But marital liens, such as appellant's, are not judgment liens; they are a method of distributing property in a dissolution proceeding. "A lien on a homestead is a division of property." *Charlson v. Charlson*, 374 N.W.2d 473, 476 (Minn.App.1985). A lien is "an encumbrance on property as security for the payment of debt." Minn.Stat. § 514.99, subd. 1(b) (2008). A marital lien is personal property, though it is not an estate or an interest in the parcel of real property itself. *Granse & Assocs. v. Kimm*, 529 N.W.2d 6, 8 (Minn.App.1995), *review denied* (Minn. Apr. 27, 1995). A district court's use of a marital lien to divide property must have "an acceptable basis in fact and principle." *Rohling v. Rohling*, 379 N.W.2d 519, 522-23 (Minn.1986) (approving marital lien that did not mature for 15 years)"

Case 2: *Charlson v. Charlson*, 374 N.W.2d 473, 476 (Minn.App.1985).

Docket Number: xyz

Quote 2: "A lien on a homestead is a division of property."

- u. When you quote the same case, same paragraph more than once in the memo, the RL need only have the paragraph appears once in each issue section it applies to.
- v. IF you cite Case A (cite is in the footnotes) AND Case A has directly quoted Case B in the quote we are using, THEN the footnote must cite Case A (citing Case B), AND the RL in the relevant section must have the full entry and paragraph of Case A and full entry and paragraph of Case B. Eg, the direct quote we use from Case A has quotes within it from Case B.
IF Case A paraphrases or references Case B BUT does not directly quote Case B, THEN only cite Case A in the footnotes and RL.
- w. In RL section, while the quotes are copy-pasted, please make sure the page numbers and footnotes in the judgment are deleted.
- x. Confirm that all quotes over 15 words are indented .5 on both the right and left margins, i.e. block indent.
- y. Check over the entire memo to make sure that there are no stray lines or odd spaces.
- z. Confirm that the Reference List starts on a new page. Insert page break if necessary.



- aa. Complete all Smartsheet fields
- 15. ROSS Portal Upload
 - a. Associate entrusted with the upload is assigned a username and password to access ROSS Portal.
 - b. Make sure to login to the portal midday and check the Assigned Questions.
 - c. Find the corresponding question in SS; you can use "Ctrl f ctrl v" function in SS. Also, try to break down the question to a few words if the initial search with all words is not giving any result.
 - d. Confirm if the draft is finalized. Final draft will have "gtg" along with other comments in SS.
 - e. Check the box with memo number and see if the final doc is present. Final doc will have only Memo number, and no initials (for e.g. 22501-ROSS-Memo 2319).
 - f. Download and save the final to your desktop.
 - g. Take up the assigned question and select upload.
 - h. Copy paste the Short Answer, Long Answer, and Conclusion in the respective boxes.
 - i. Upload the memo.
 - j. Select Answer (Reference List) Tab.
 - k. Select "Add Answer".
 - l. Copy paste Case name, Docket number, citation, and Quote in the boxes that appear and submit.
 - m. Click "Add Answer" again to enter next quote.
 - n. If a case has more than one quote in RL make sure to select "Add Answer" and enter the case name, citation, docket number, and quote again. Note that only one quote of the case will be entered at a given time, and the process needs to be repeated to enter all the quotes. For e.g. if a case has three quotes, select "Add Answer" and enter the case name, citation, docket number, and first quote. Then, repeat the

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EXHIBIT 89

EXHIBIT 90

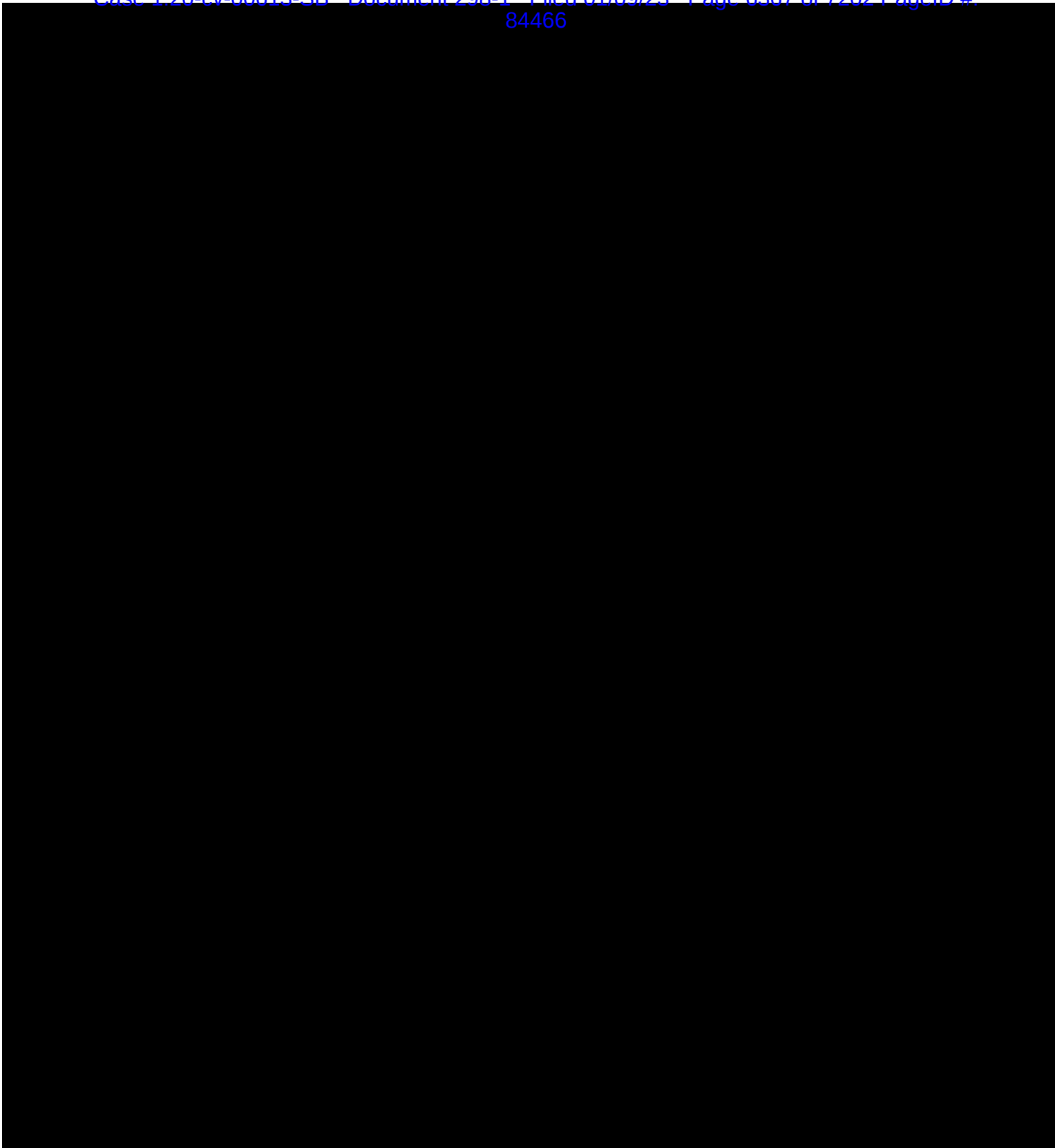
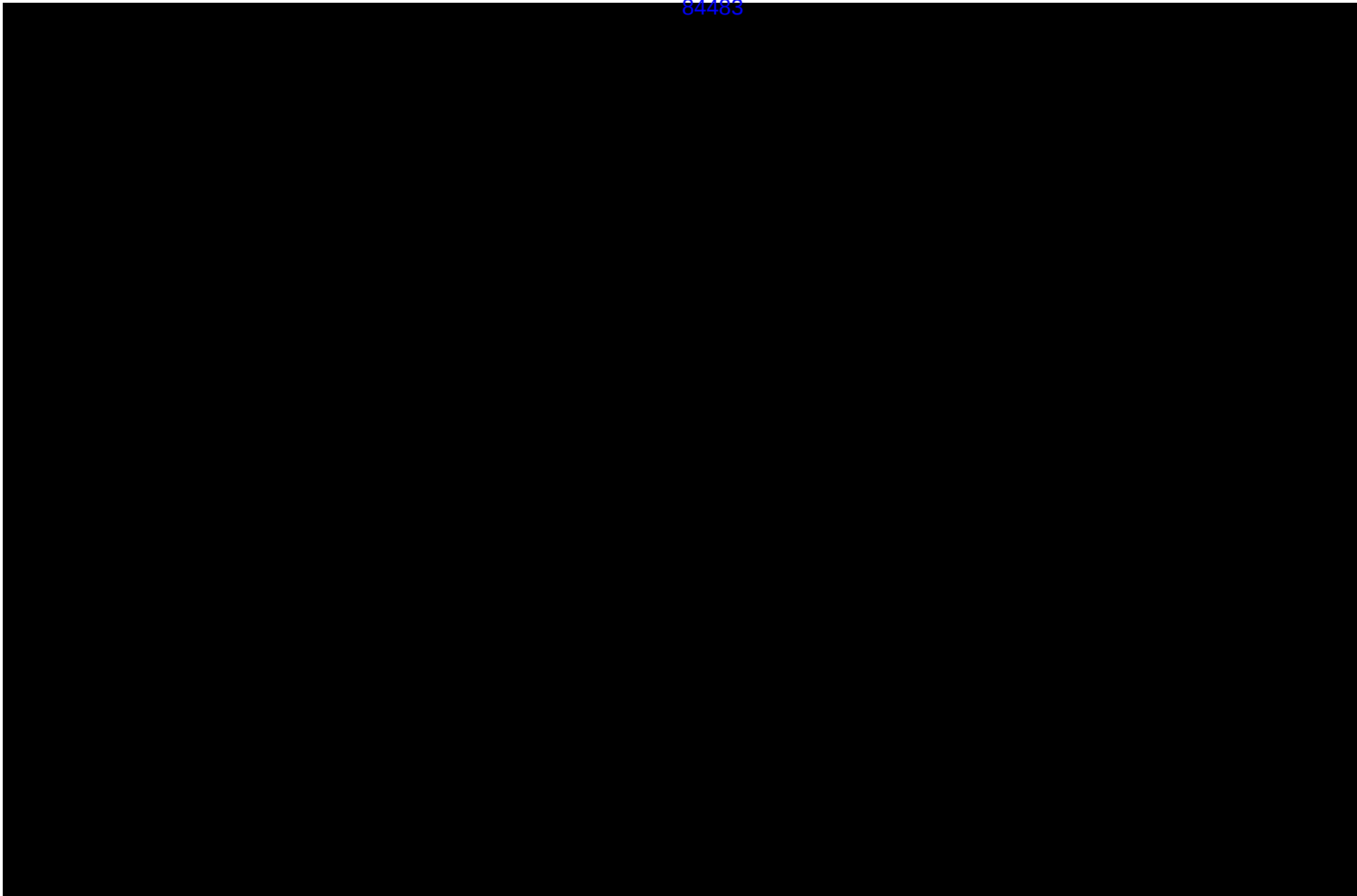


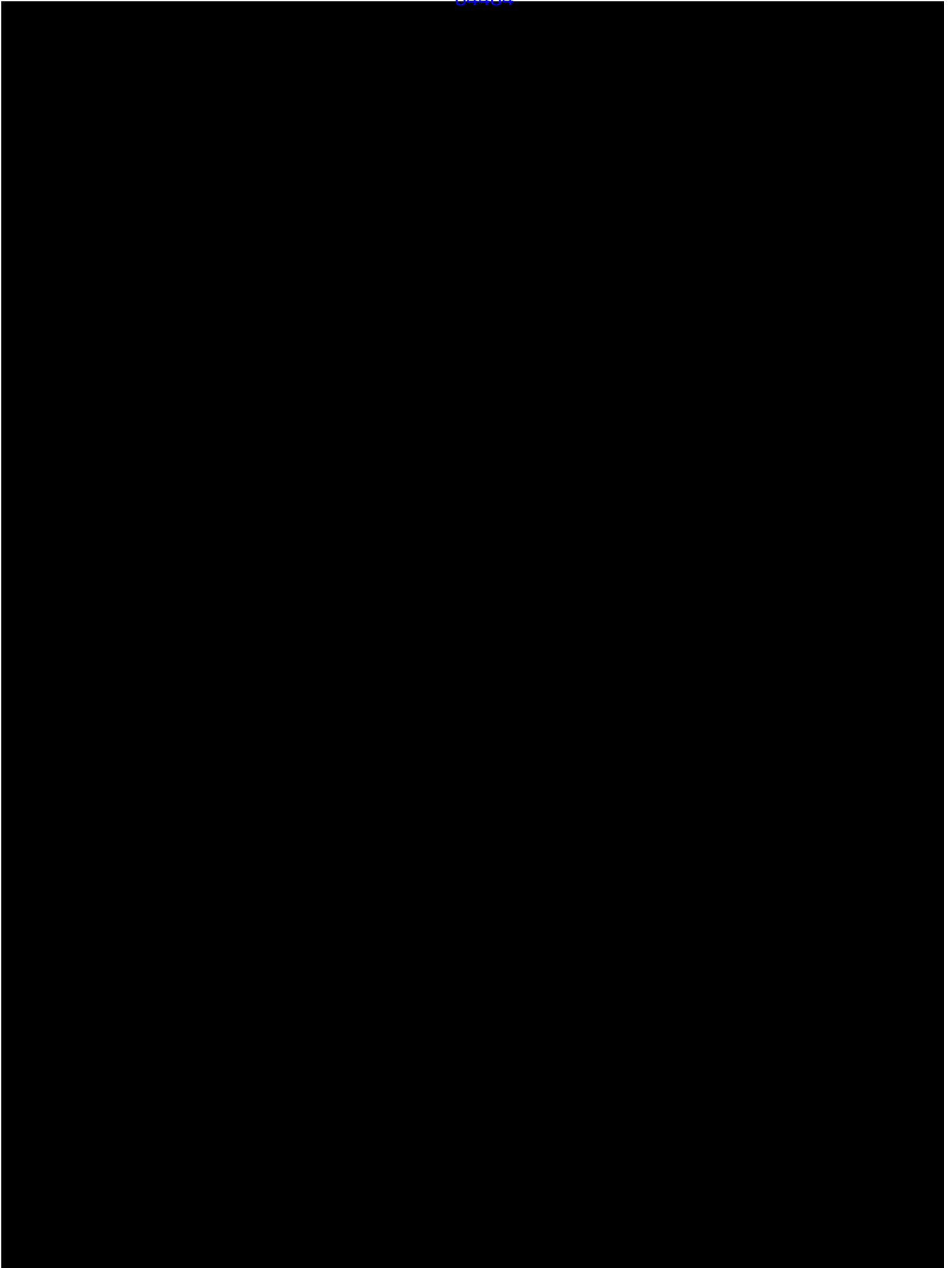
EXHIBIT 91

EXHIBIT 92

EXHIBIT 93

EXHIBIT 95





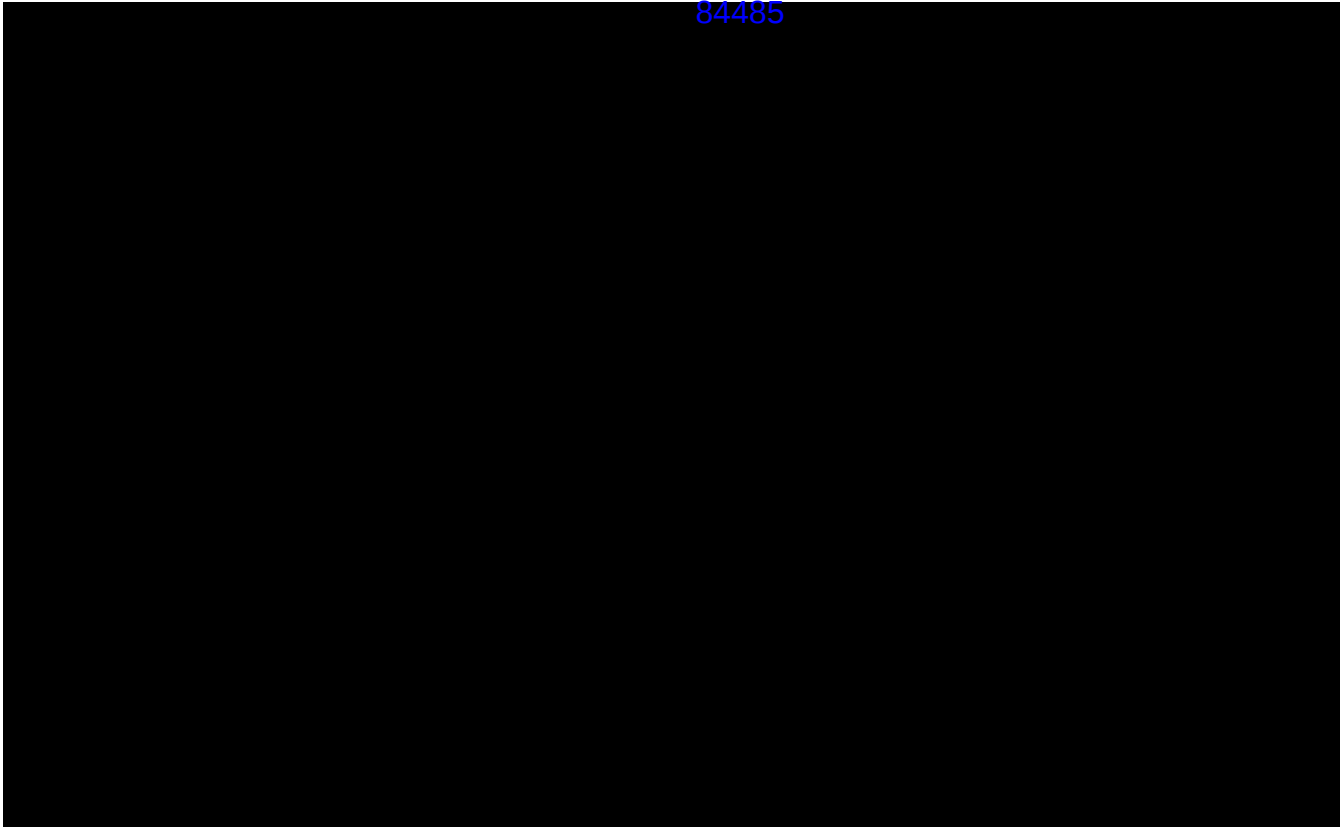
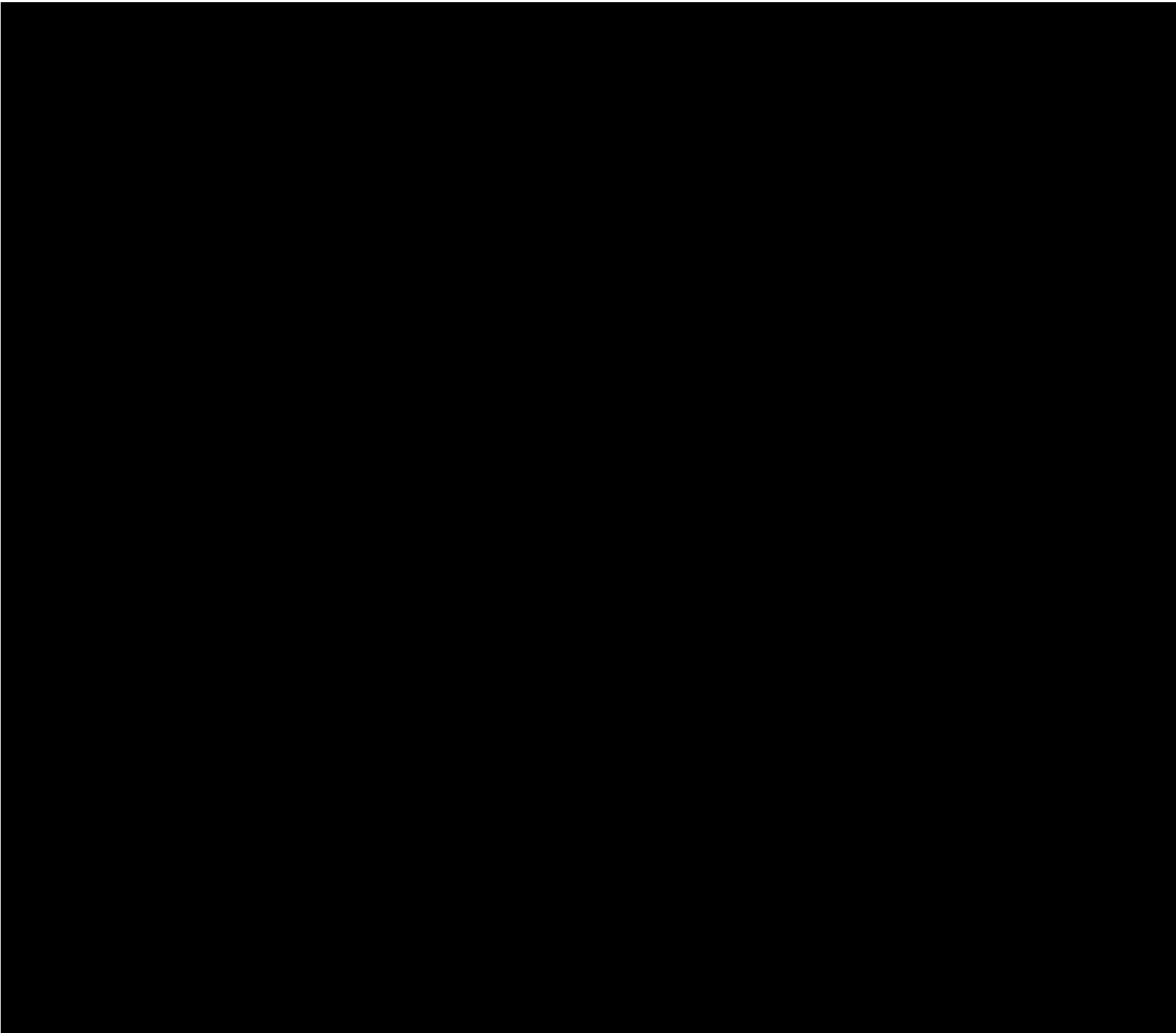


EXHIBIT 96



2815	IP License	IP License In Agreement - (3rd Party IP)	Thomson Reuters Hong Kong Limited;	Thomson Reuters Global Resources Unlimited Company;	01.04.2017
2818	IP License	IP License In Agreement - (3rd Party IP)	Thomson Reuters Corporation Pte Limited;	Thomson Reuters Global Resources Unlimited Company;	01.04.2017
2819	Sales Agreement	Distribution Agreement (LRD) - (Checkpoint)	Thomson Reuters Global Resources Unlimited Company;	Sistemas Beijerman S.A.;	01.01.2018
2820	Sales Agreement	Distribution Agreement (LRD) - (OneSource & Onvio)	Thomson Reuters Global Resources Unlimited Company;	Sistemas Beijerman S.A.;	01.01.2018
2821	Sales Agreement	Distribution Agreement (LRD) - (OneSource Global Trade Management)	Thomson Reuters Global Resources Unlimited Company;	Softway Argentina SRL;	01.01.2018
2826	IP License	IP License In Agreement - (3rd Party Content and Technology)	Thomson Reuters Information Pte Ltd;	Thomson Reuters Global Resources Unlimited Company;	01.04.2017
2827	Non-Disclosure Agreement	Mutual Non-Disclosure Agreement	Thomson Reuters Global Resources Unlimited Company;	Syngenta Crop Protection AG;	22.05.2018
2829	Non-Disclosure Agreement	Mutual Non-Disclosure Agreement	Thomson Reuters Global Resources Unlimited Company;	Acatís Research GmbH;	27.03.2018
2830	Non-Disclosure Agreement	Mutual Non-Disclosure Agreement	Thomson Reuters Global Resources Unlimited Company;	Acatís Investment KVGmbH;	27.03.2018
2842	Other	Bill of sale, General Assignment and Assumption and Conveyance Agreement	Thomson Reuters Global Resources Unlimited Company;	Innovative Market Analysis, LLC;	01.06.2018
2845	Other	Intercompany Transfer (Assignment) of account payable	Thomson Reuters Global Resources Unlimited Company;	Reuters Limited (sold to Blackstone 1.10.2018); Reuters Limited - Colombia Branch (sold to Blackstone 1.10.2018);	24.07.2018
2846	Technology License	Sales Contract / Early Renewal for Progress	Thomson Reuters Global Resources Unlimited Company;	Telerik Inc.;	12.06.2017
2852	Services Agreement	Services Agreement	Thomson Reuters (Tax & Accounting) Inc.;	Thomson Reuters Global Resources Unlimited Company;	01.01.2018
2854	Services Agreement	Services Agreement	Creative Solutions Software Corp;	Thomson Reuters Global Resources Unlimited Company;	01.01.2018
2866	TRGR Master Services Agreement	Master Services Agreement	Thomson Reuters Global Resources Unlimited Company;	Thomson Reuters International Services Private Limited;	01.10.2018
2868	IP Assignment	Autoaudit Trade Mark	Thomson Reuters (Tax & Accounting) Inc.;	Thomson Reuters Global Resources Unlimited Company;	27.09.2018
2870	IP Assignment	Sphere Device, RXpress, Qingniao, Alertnet&RBB Trade Marks	Reuters Limited (sold to Blackstone 1.10.2018);	Thomson Reuters Global Resources Unlimited Company;	27.09.2018
2872	IP Assignment	Worldscope Trade Marks	Worldscope/Disclosure, L.L.C. (merged);	Thomson Reuters Global Resources Unlimited Company;	27.09.2018
2873	TRGR Master Services Agreement	Master Services Agreement	Thomson Reuters Global Resources Unlimited Company;	Thomson Reuters India Private Limited;	01.10.2018
2874	IP Assignment	Domain Names	Thomson Reuters Holdings Inc.;	Thomson Reuters Global Resources Unlimited Company;	30.09.2018
2875	IP Assignment	Domain Names	Thomson Reuters (Australia) Pty Ltd;	Thomson Reuters Global Resources Unlimited Company;	30.09.2018

2876	IP Assignment	Domain Names	Thomson Reuters Corporation;	Thomson Reuters Global Resources Unlimited Company;	30.09.2018
2877	IP Assignment	Domain Names	Thomson Reuters Group Limited;	Thomson Reuters Global Resources Unlimited Company;	30.09.2018
2879	Services Agreement	Services Agreement	West Publishing Corporation;	Thomson Reuters Global Resources Unlimited Company;	01.01.2018
2881	Services Agreement	Services Agreement	Thomson Reuters Special Services LLC;	Thomson Reuters Global Resources Unlimited Company;	01.01.2018
2882	IP Assignment	Avanon Trade Marks	Avanon SA;	Thomson Reuters Global Resources Unlimited Company;	26.09.2018
2883	Other	F&R Project York Termination Agreement	Thomson Reuters Global Resources Unlimited Company;	Reuters Limited (sold to Blackstone 1.10.2018);	01.10.2018
2895	Other	Intercompany Transfer (Assignment) of Account Payable	Thomson Reuters Global Resources Unlimited Company;	Reuters Limited (sold to Blackstone 1.10.2018);	20.09.2018
2897	IP Assignment	IP Assignment / Application No. 14/206,648	Thomson Reuters (Markets) LLC (sold to Blackstone 1.10.2018);	Thomson Reuters Global Resources Unlimited Company;	15.10.2018
2898	Other	Assignment Agreement	Reuters Software (Thailand) Limited (sold to Blackstone 1.10.2018);	Thomson Reuters Global Resources Unlimited Company;	27.09.2018
2899	IP Assignment	Kenya Deed of Assignment	Thomson Reuters Finance S.A.;	Thomson Reuters Global Resources Unlimited Company;	01.10.2009
2900	TRGR Master Services Agreement	Master Services Agreement	Thomson Reuters Global Resources Unlimited Company;	Reuters Hellas S.A. - News and Media;	01.08.2018
2901	TRGR Master Services Agreement	Master Services Agreement	Thomson Reuters Global Resources Unlimited Company;	Reuters News & Media Romania S.R.L.;	28.08.2018
2902	TRGR Master Services Agreement	Master Services Agreement	Thomson Reuters Global Resources Unlimited Company;	Thomson Reuters Germany GmbH;	01.08.2018
2903	Services Agreement	Contract Express Hosting Services	Thomson Reuters Global Resources Unlimited Company;	Thomson Reuters (Professional) UK Limited;	01.12.2018
2905	Services Agreement	Mark Monitor - Master Services Agreement	MarkMonitor Inc. (Sold);	Thomson Reuters Global Resources Unlimited Company;	19.08.2014
2907	TRGR Master Services Agreement	Master Services Agreement	Thomson Reuters Global Resources Unlimited Company;	Reuters News & Media Limited;	01.08.2018
2908	Trade Mark License	Trade Mark License Agreement	Thomson Reuters Global Resources Unlimited Company;	Thomson Analytics Proprietary Limited;	01.08.2018
2909	TRGR Master Services Agreement	Master Services Agreement	Thomson Reuters Global Resources Unlimited Company;	Thomson Analytics Proprietary Limited;	01.08.2018
2910	Sales Agreement	Distribution Agreement (Electronic Products - All)	Thomson Reuters Global Resources Unlimited Company;	Thomson Analytics Proprietary Limited;	01.08.2018
2911	TRGR Master Services Agreement	Master Services Agreement	Thomson Reuters Global Resources Unlimited Company;	Thomson Reuters de Colombia S.A.S.;	01.08.2018
2913	Sales Agreement	Distribution Agreement - (Electronic Products - Software)	Thomson Reuters Global Resources Unlimited Company;	Thomson Reuters de Colombia S.A.S.;	01.08.2018
2914	Trade Mark License	Trade Mark License Agreement	Thomson Reuters Global Resources Unlimited Company;	Thomson Reuters de Colombia S.A.S.;	01.08.2018
2915	Sales Agreement	Distribution Agreement - (Electronic Products)	Thomson Reuters Global Resources Unlimited Company;	Thomson Reuters de Colombia S.A.S.;	01.08.2018

EXHIBIT 97

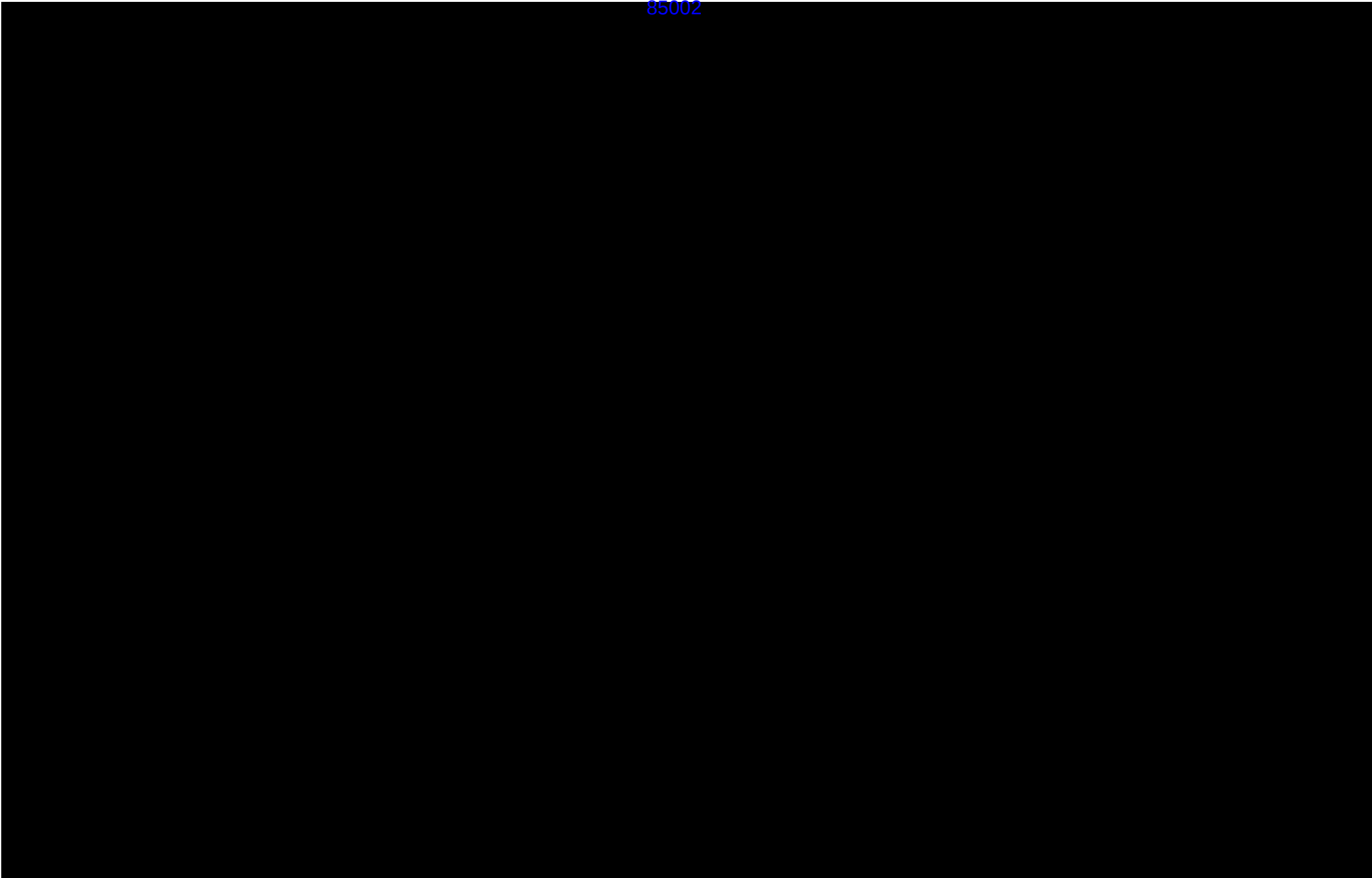
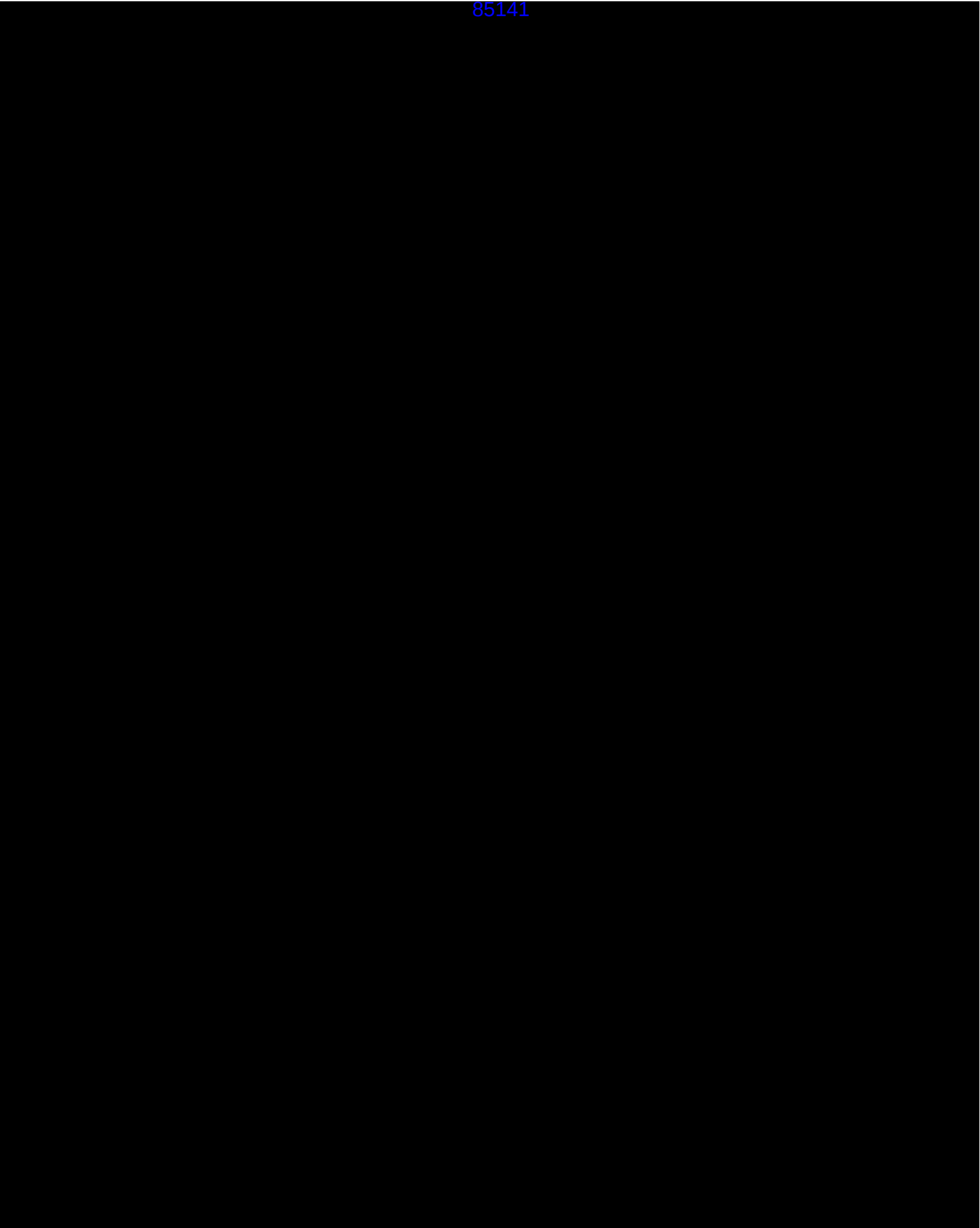
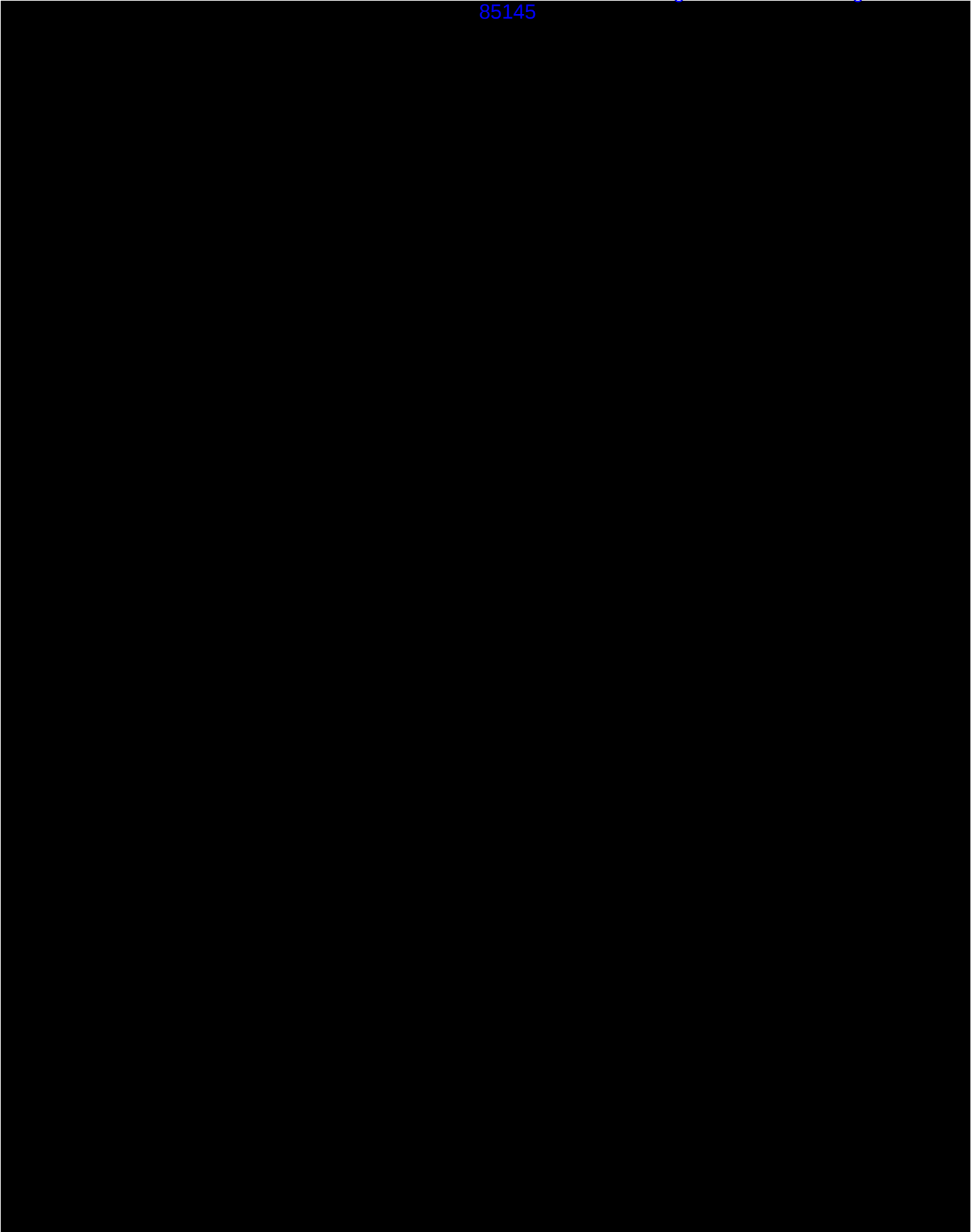
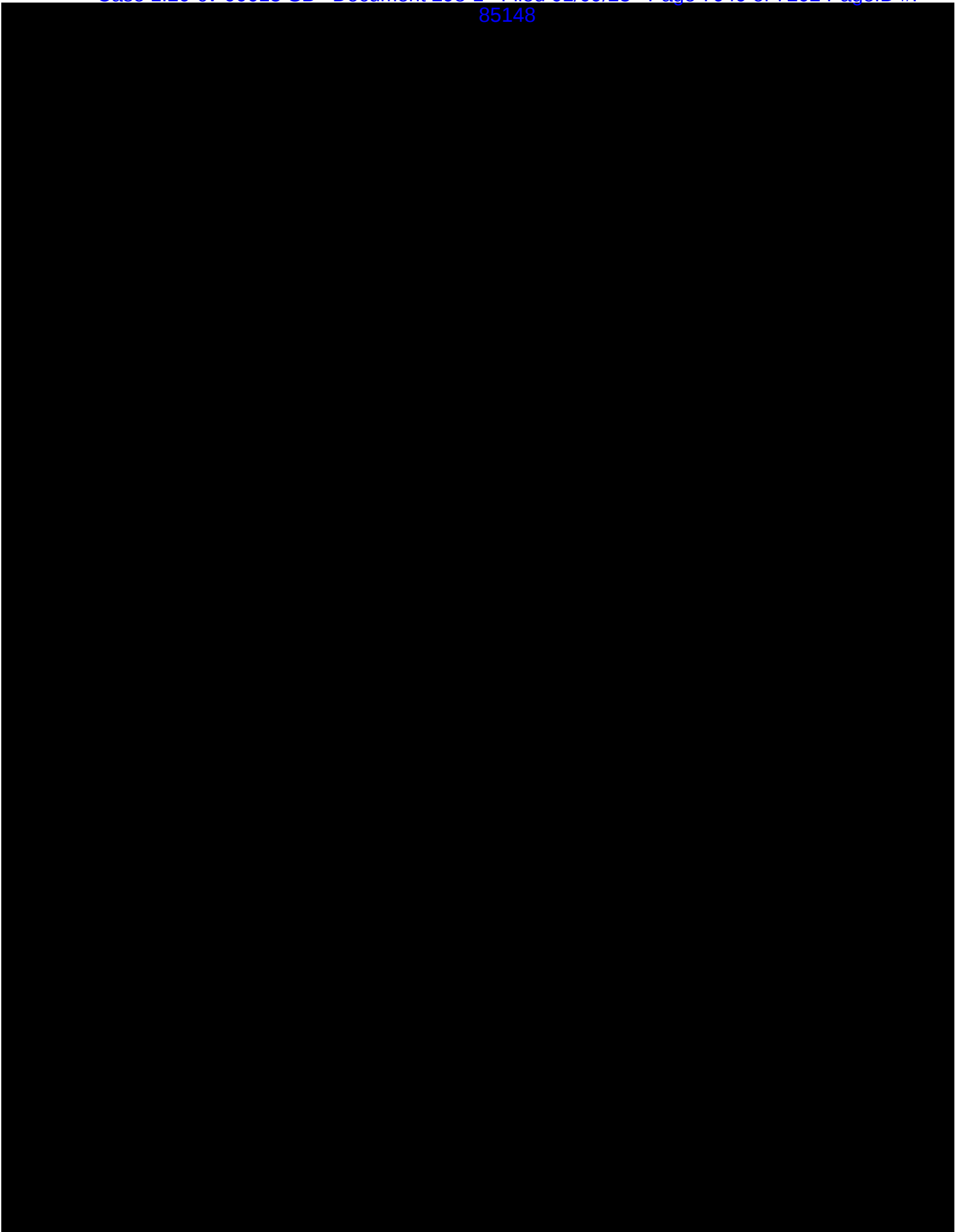


EXHIBIT 98

EXHIBIT 99







4.1 Creating a Synopsis using the Summary Tool

**Note**


The prepopulation feature currently does not insert into the synopsis all information regarding dissenting and concurring judges. Users will need to manually insert that information in the Mandates field of the synopsis.

4.1.5. Linking Synopsis Holdings to Headnotes

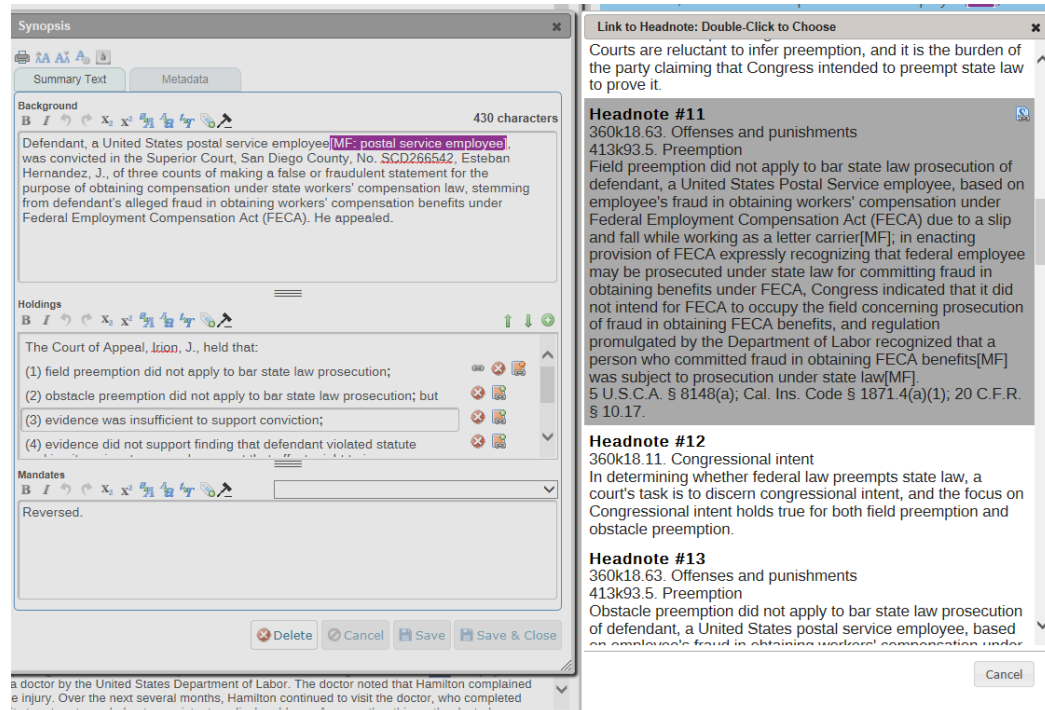
Each holding in a synopsis must be linked to the relevant corresponding headnote.

A link between a synopsis holding and a headnote can be created by either using the link icons in the synopsis widget or using the holding link options in the right-click menu on the Features Widget.

1. Creating Synopsis Holding Links Through Icons in the Synopsis Widget


To link a synopsis holding to a headnote, a user can open the synopsis widget and click on the link icon  appearing next to the relevant synopsis holding..

Doing this opens a “Link to Headnote” window, in which the user can double-click on the headnote they wish to link the synopsis holding to:



4.1 Creating a Synopsis using the Summary Tool

Headnotes that are already linked to a synopsis holding will display in gray shading in the “Link to Headnote” window.


Once the link is processed, a synopsis holding link icon  will appear next to the chosen headnote in the Features widget on the far right.

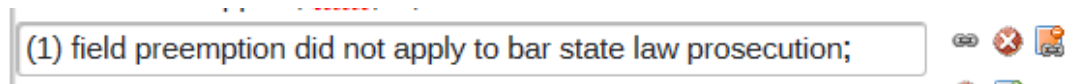
Headnote #11


360. STATES


Field preemption did not apply to bar state law prosecution of defendant, a United States Postal Service employee, based on employee's fraud in obtaining workers' compensation under Federal Employment Compensation Act (FECA) due to a slip and fall while working as a letter carrier^[MF]; in enacting provision of FECA expressly recognizing that federal employee may be prosecuted under state law for committing fraud in obtaining benefits under FECA, Congress indicated that it did not intend for FECA to occupy the field concerning prosecution of fraud in obtaining FECA benefits, and regulation promulgated by the Department of Labor recognized that a person who committed fraud in obtaining FECA benefits^[MF] was subject to prosecution under state law^[MF].
5 U.S.C.A. § 8148(a); Cal. Ins. Code § 1871.4(a)(1); 20 C.F.R. § 10.17.



Likewise, in the open synopsis widget, a grey link icon  appears next to the relevant synopsis holding to indicate that the holding is linked to a headnote:



Clicking on the grey link icon  opens the headnote that the synopsis holding is linked to.

To remove the link, click on the orange and grey link icon  next to the synopsis holding, which now has a red minus sign on it.

Deleting a synopsis or headnote also removes any associated synopsis holding links.


Users may repeat the same process to link any other synopsis holdings.

2. Automatic Creation of Synopsis Holding Links Through Right-Click Menu

The “Create Synopsis Holding” and “Copy to Synopsis Holding with Link” options in the Features Widget right-click menu allow for the automatic creation of a link between a synopsis holding and a headnote.

5.1 Creating Summaries using the Universal Summary Widget



Clicking on the special character icon  opens the character map, which allows for the insertion of special characters into the headline or paragraph text. For more information on the character map, see **9.6 Appendix F. Character Map**.

The series of icons appearing above the Headline and Paragraph fields operate only with respect to those respective fields and allow users to make various text edits to the text of those fields, such as bold, italics, undo/redo, all caps, all lower case, etc.




The Metadata tab for the universal summary widget displays relevant metadata for that summary, such as the Summary and Subject Artifact UUIDs, the Summary Health, and who created or updated the summary.

Universal Summary

Topics Select

No classifications.



Summary Text **Metadata**

Summary Id: l8ba00a90a7dd11e4b651964c5856fccb

Subject Id: la94e9bb07c9511e495b5b26bfdeca870

Health: INCOMPLETE

Health Reason: Writing Not Finished

Health Detail Desc:

Summary Number: 2

Summary Rank: 2

Artifact Descriptor Id: 40270

Created On: Thu Jan 29 11:37:49 GMT-0600 2015

Created By: U0063705

Created By Name: Conrad, Roberta (Legal)

Last Health Change: Thu Jan 29 11:37:49 GMT-0600 2015

Updated On: Thu Jan 29 11:37:49 GMT-0600 2015

Updated By: U0063705

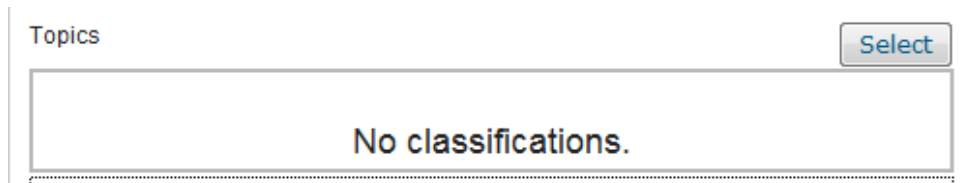
Updated By Name: Conrad, Roberta (Legal)

Delete Cancel Save Save & Close

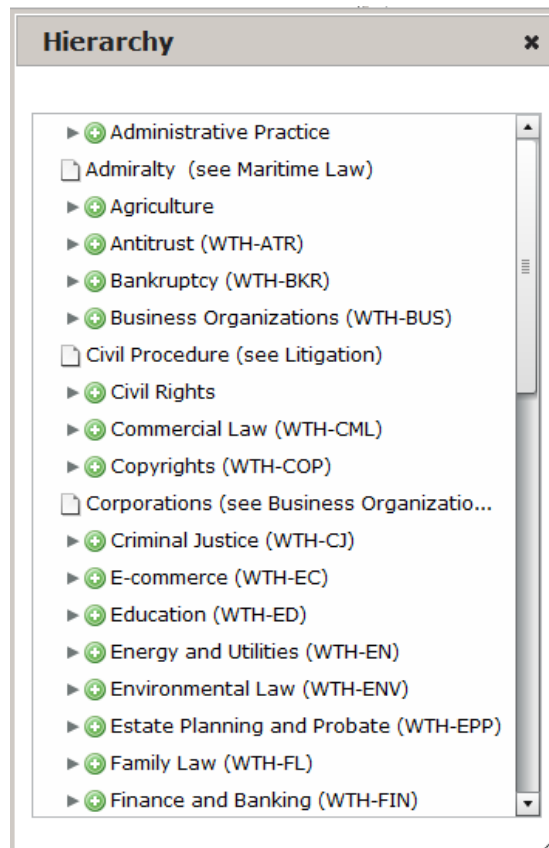
5.1.2. Selecting a Topic and Sub-topic for the Universal Summary in the Classification Widget

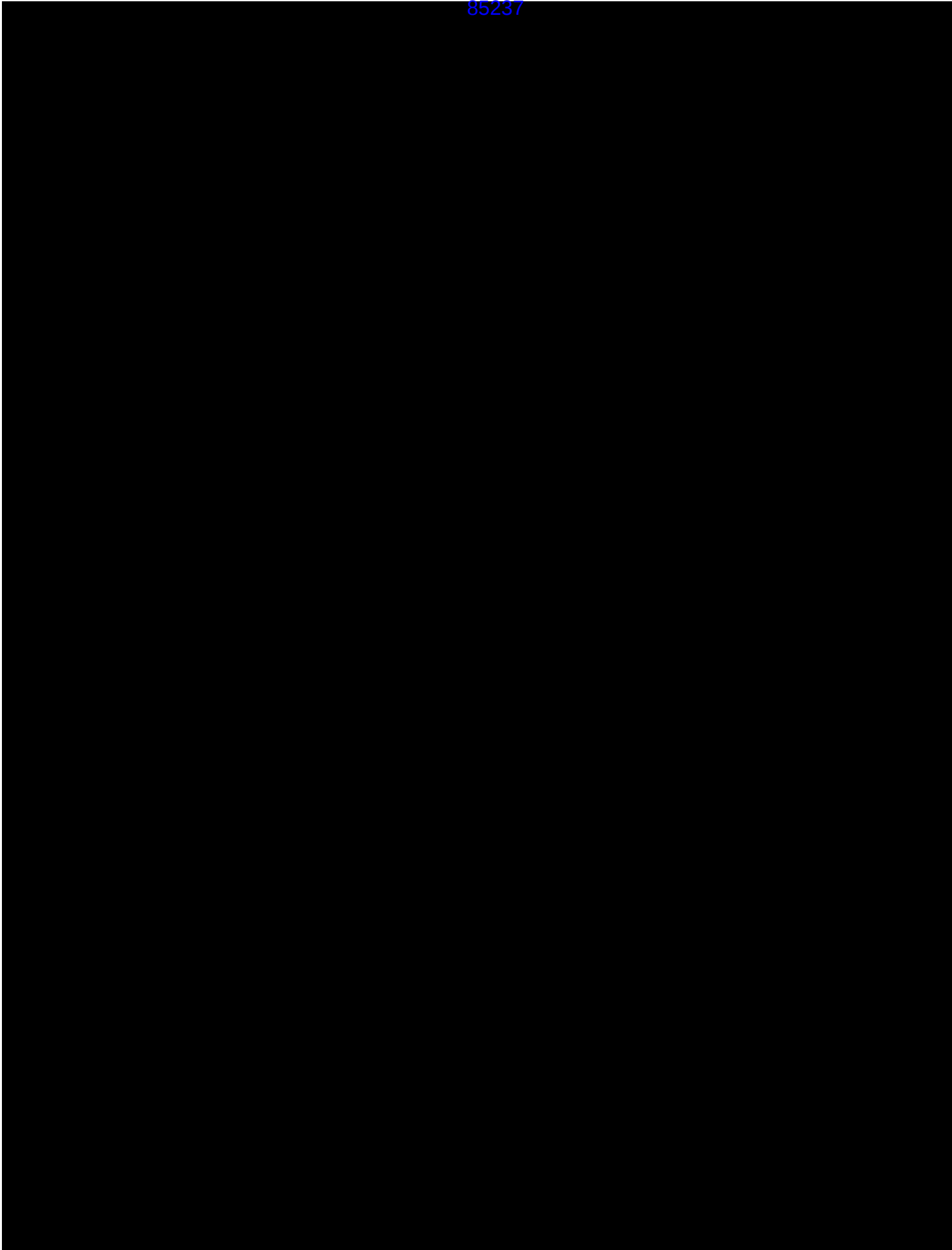
Every universal summary must be assigned a primary topic and a sub-topic from a hierarchy called the Uniform Topics hierarchy.

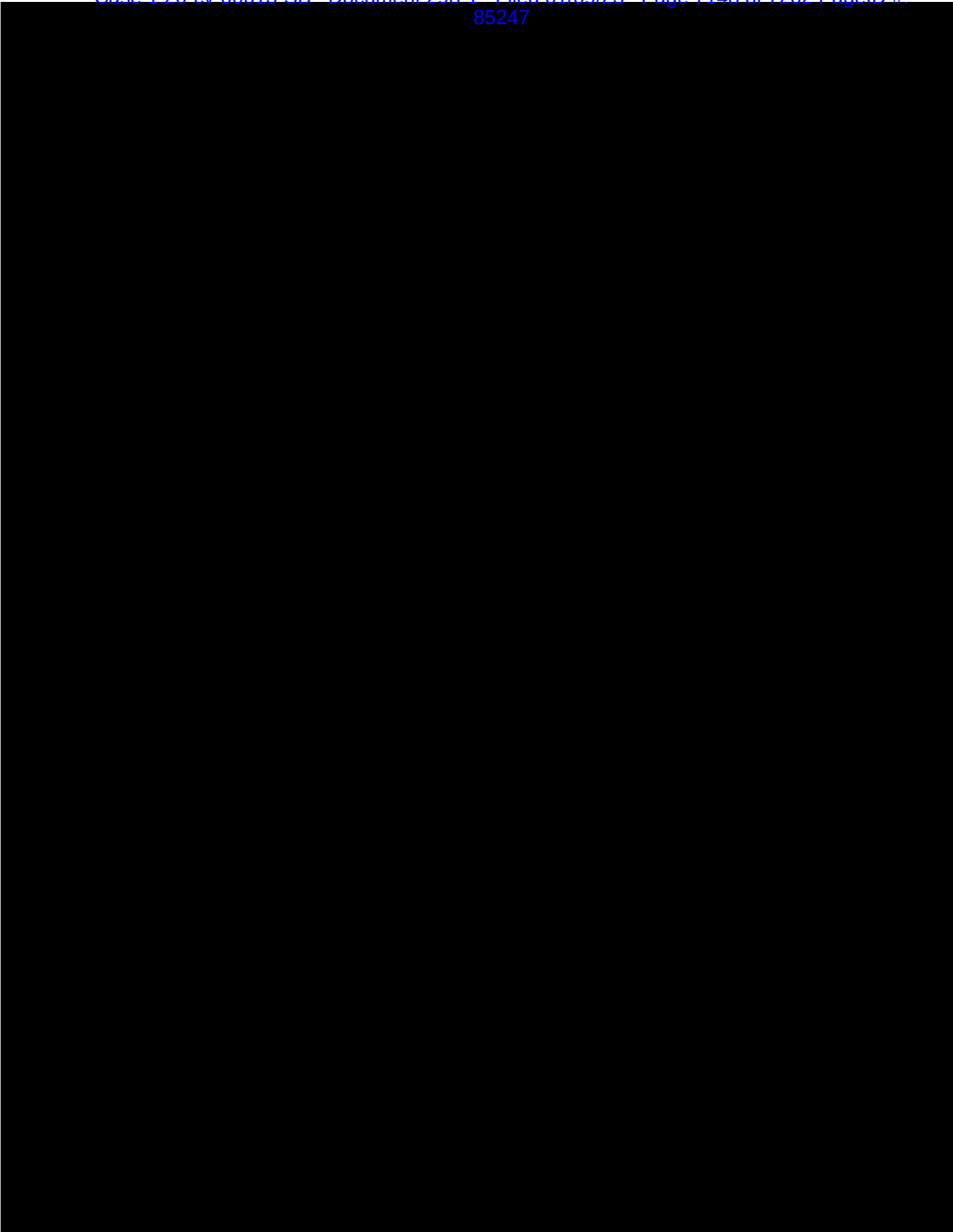
To do this, the summary writer must click on the **Select** button in the classification widget:

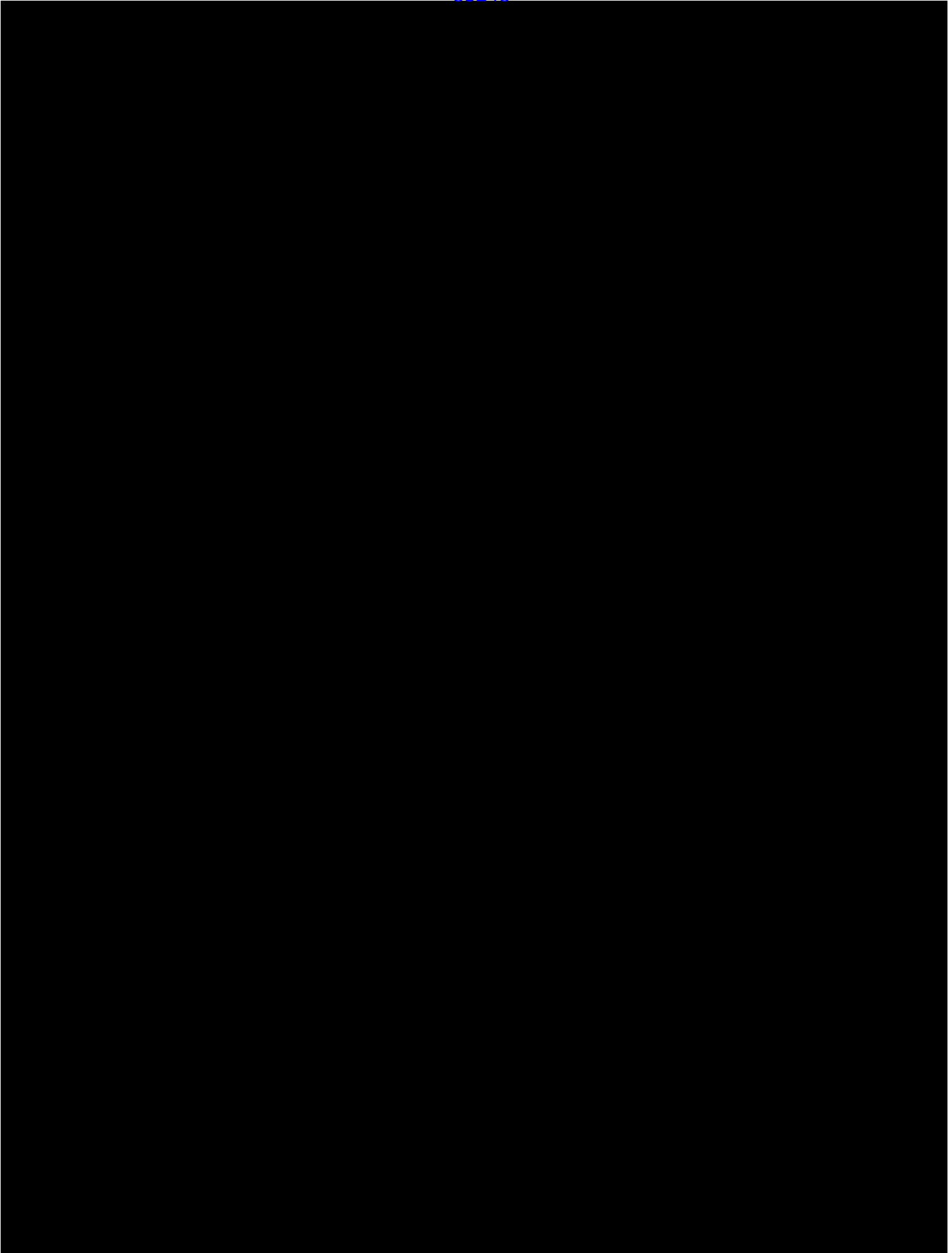


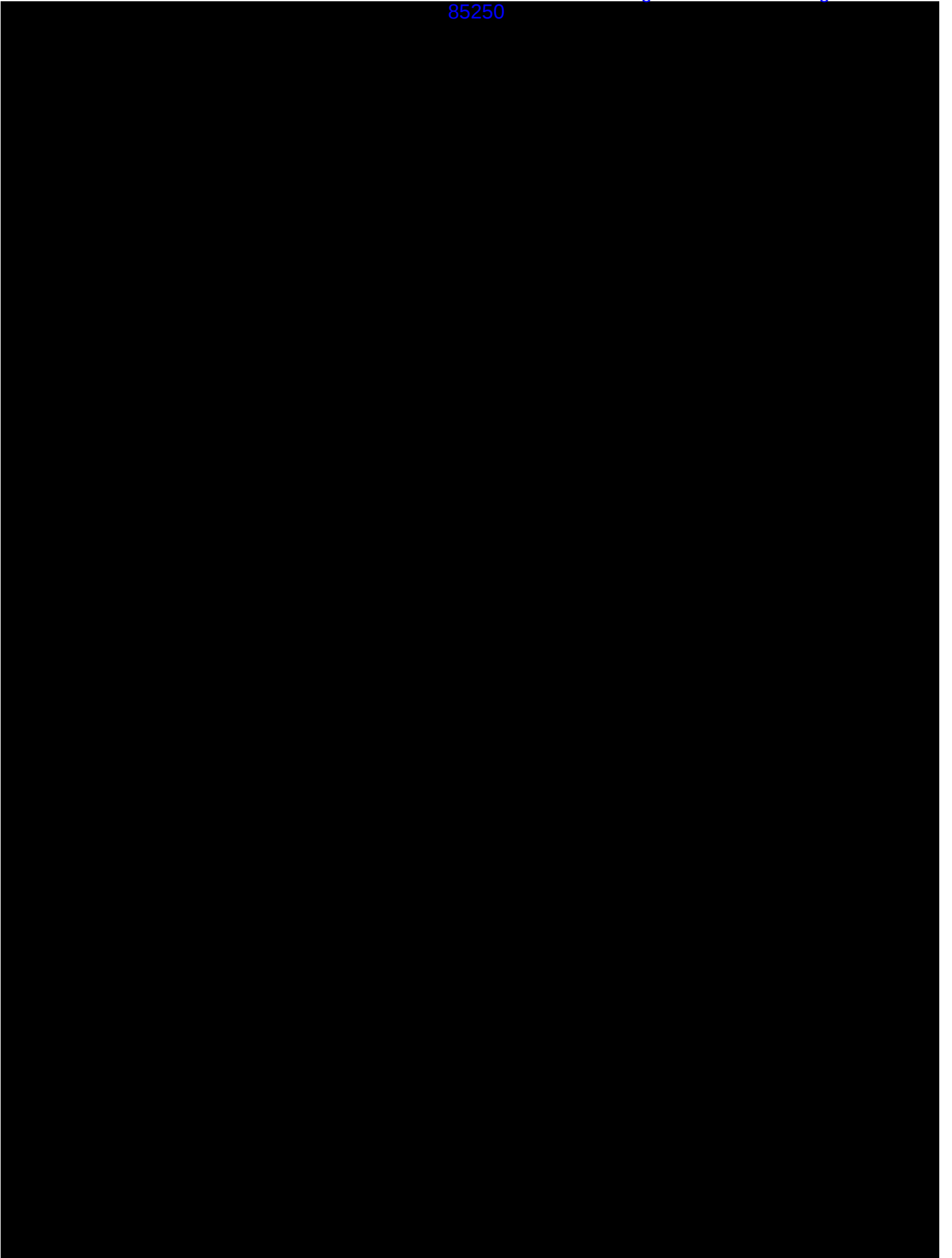
This will open the Hierarchy Viewer, which displays the assignable primary topics, like Administrative Practice, Agriculture, Antitrust, and Bankruptcy with both an arrow icon (indicating subtopics exist) and a green plus-sign icon to be used to assign the topic to the universal summary.

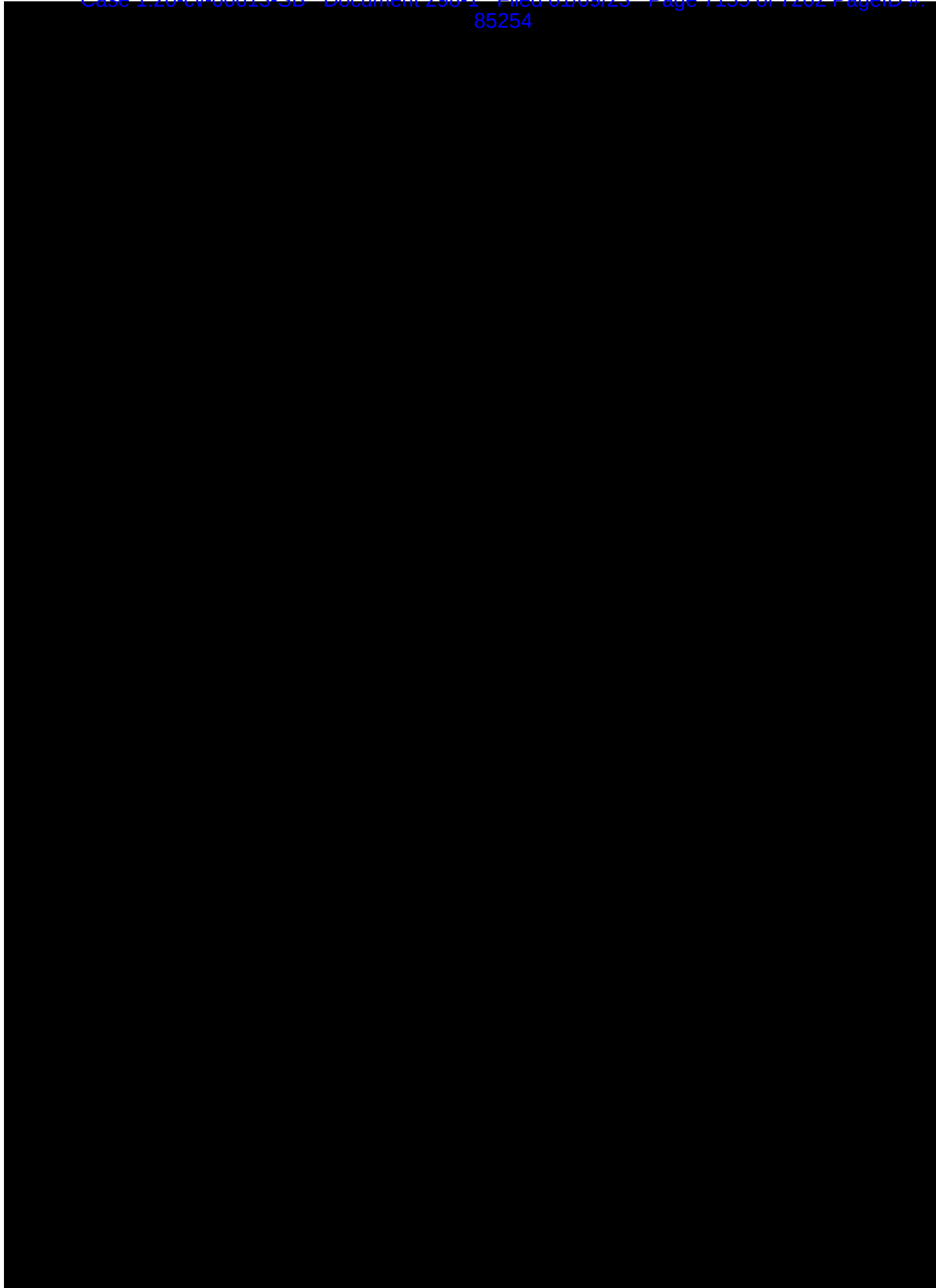


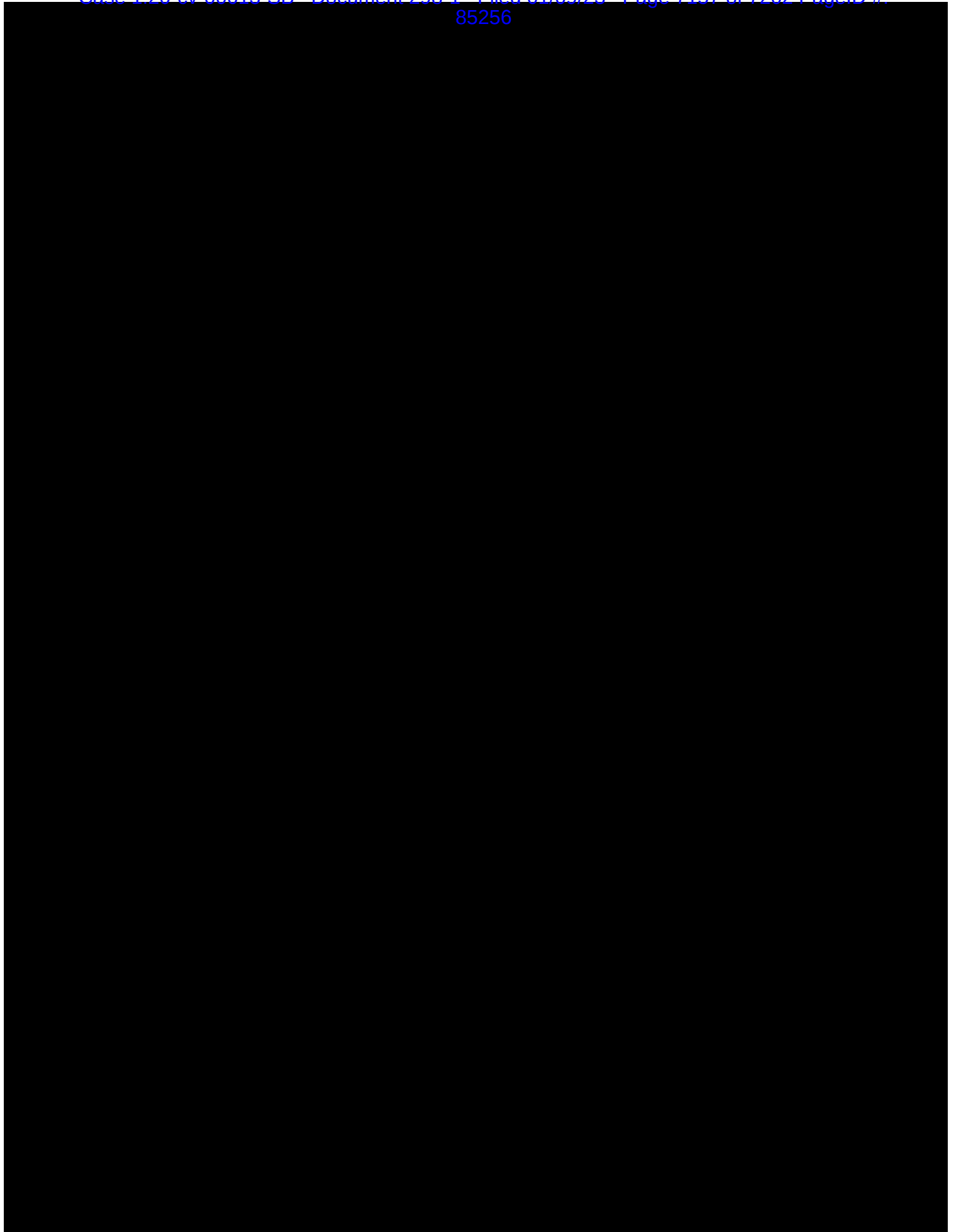


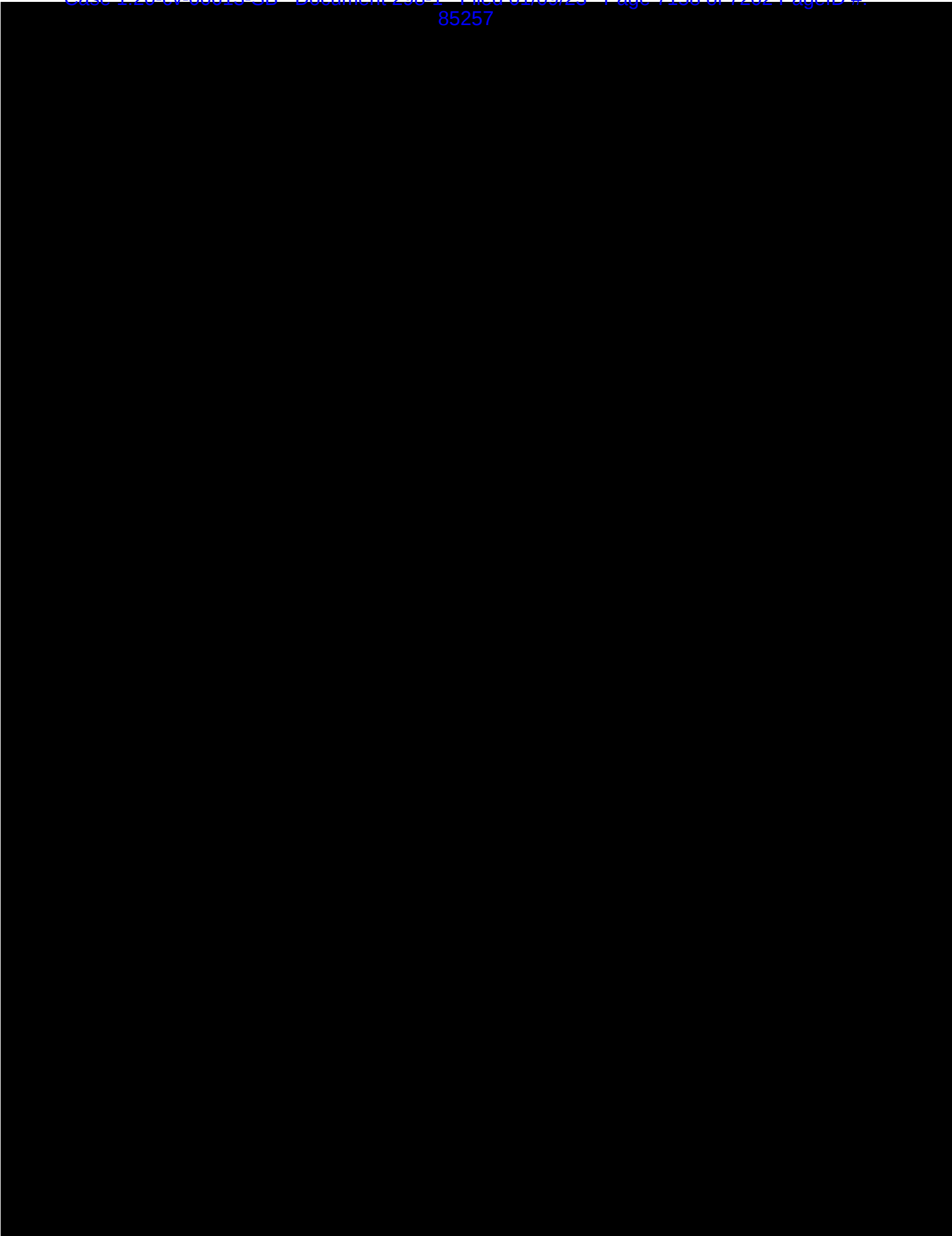












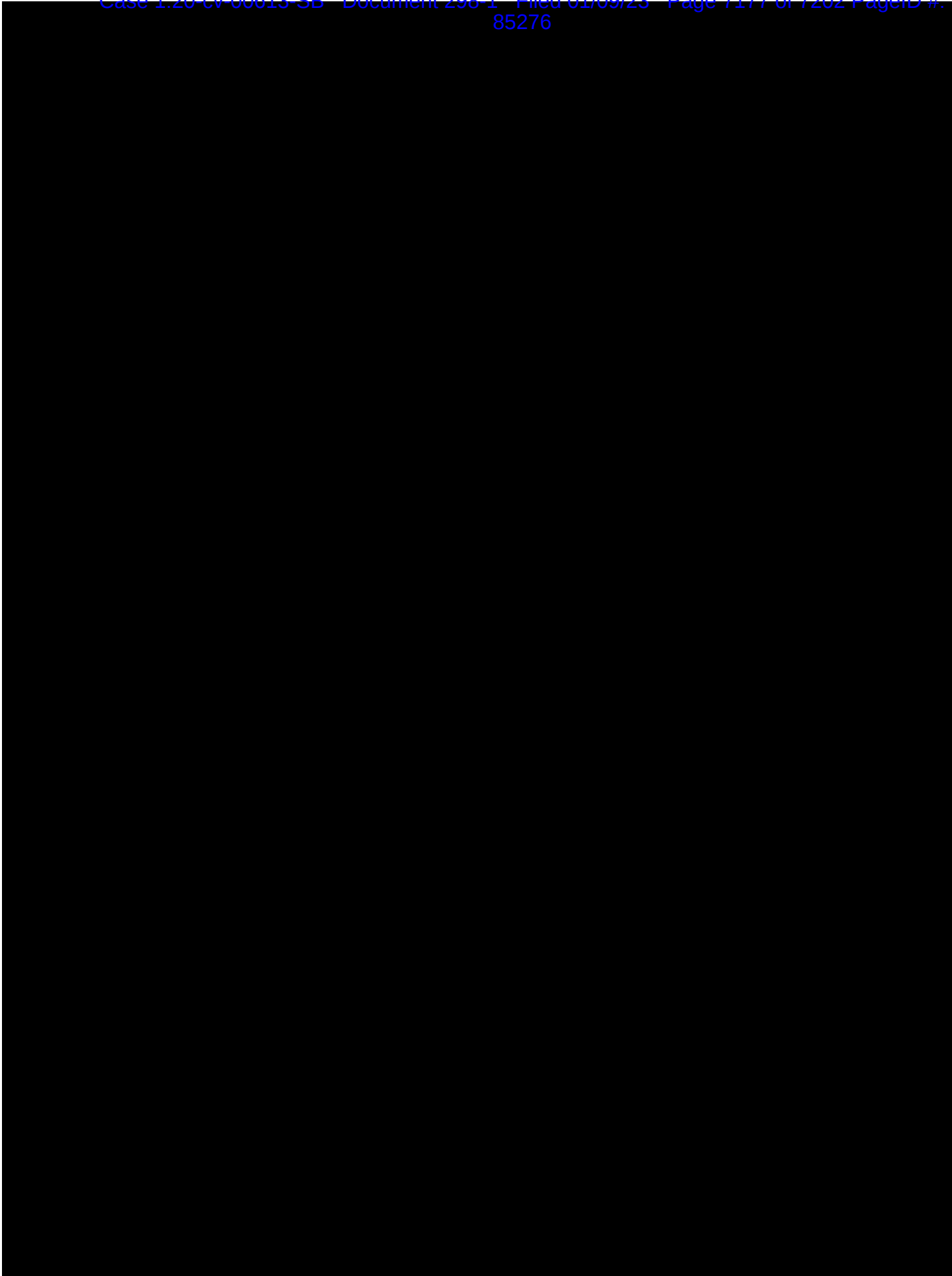
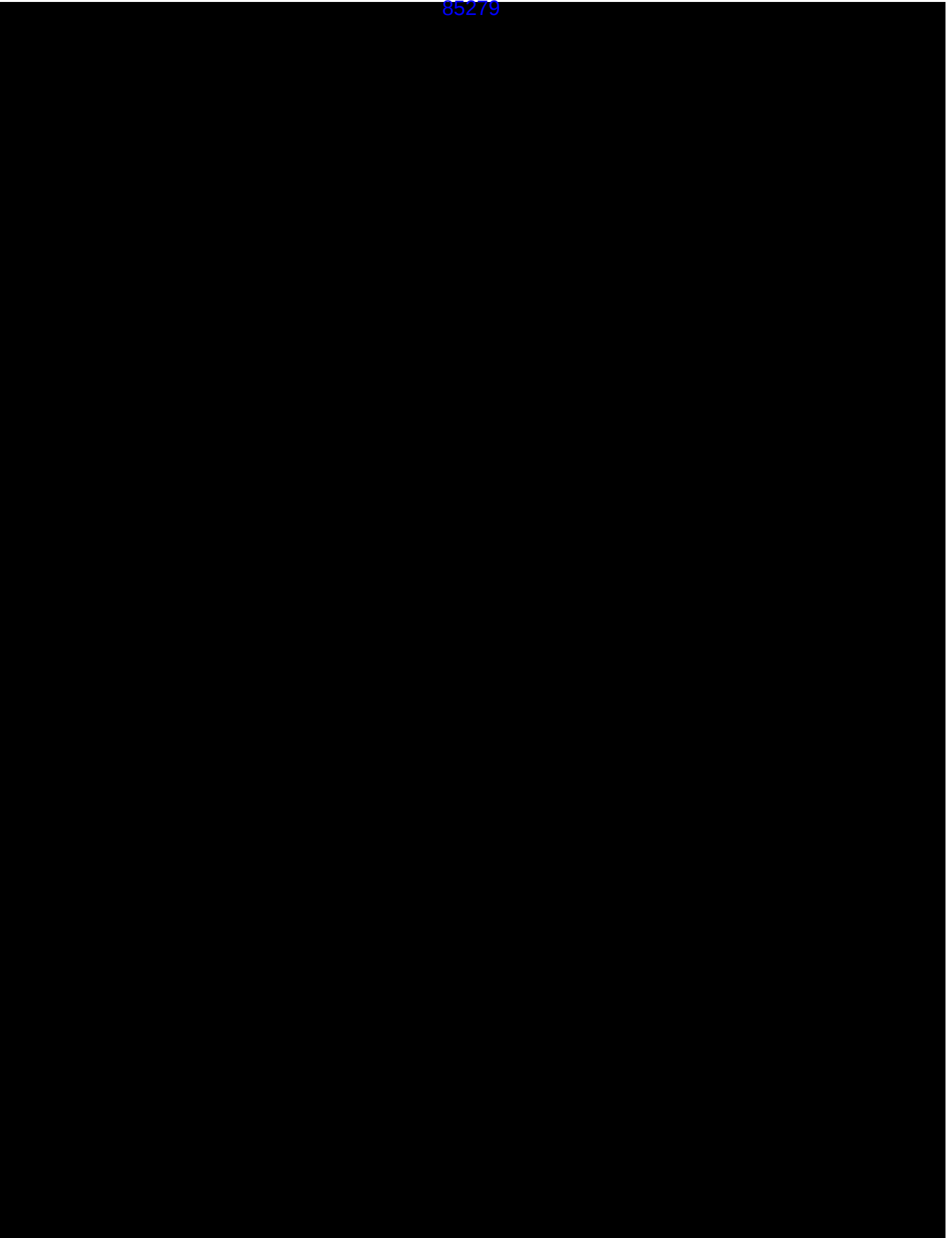
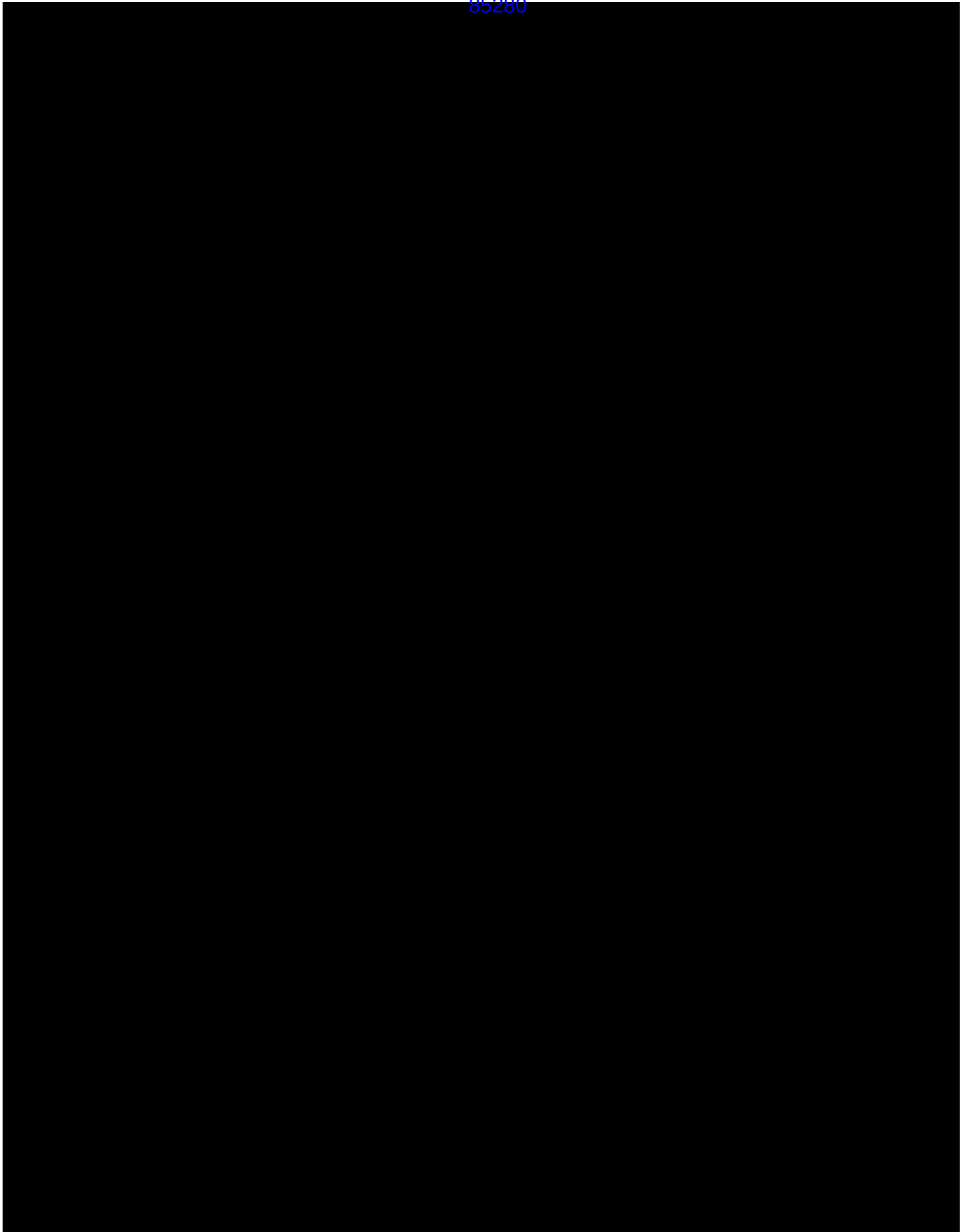
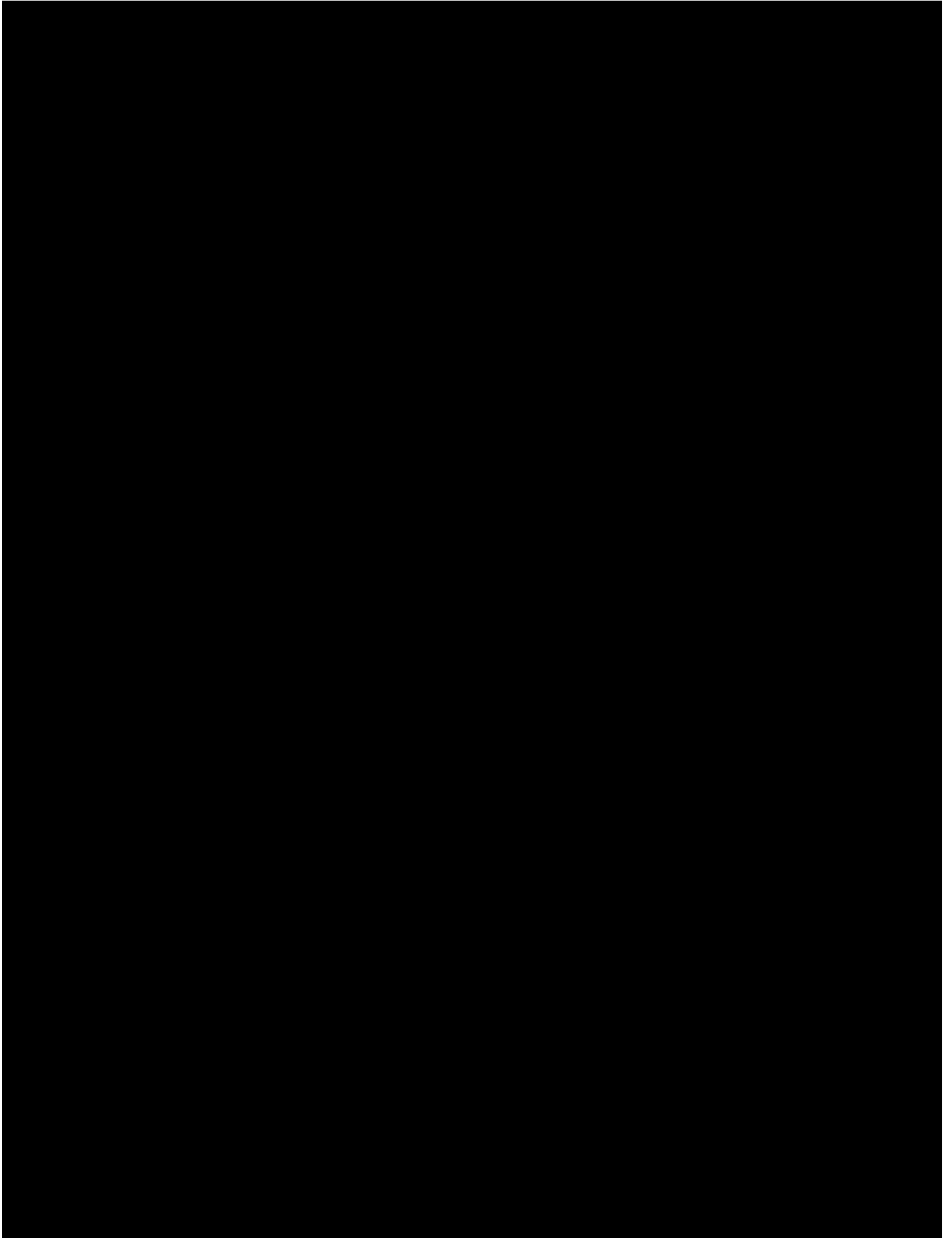
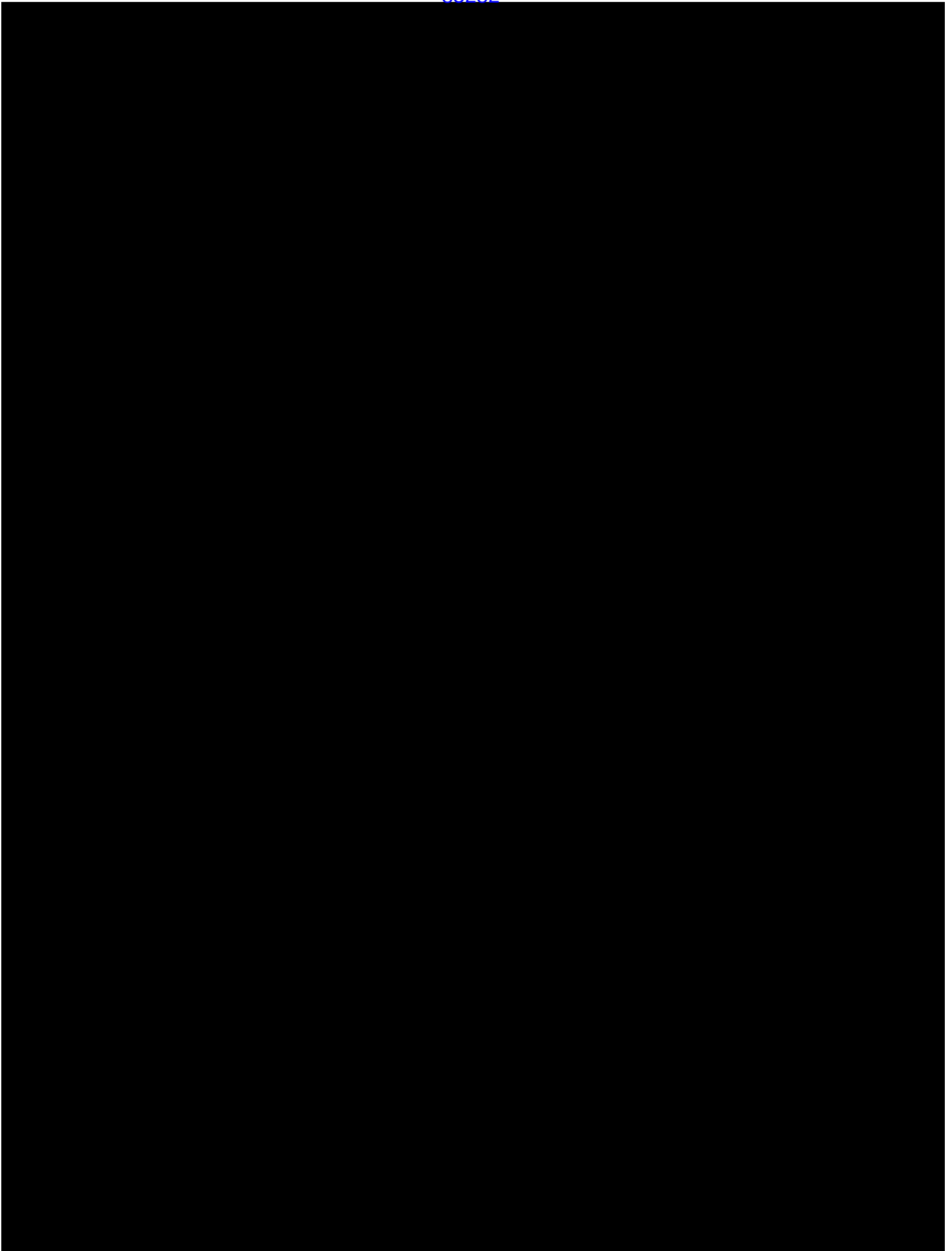


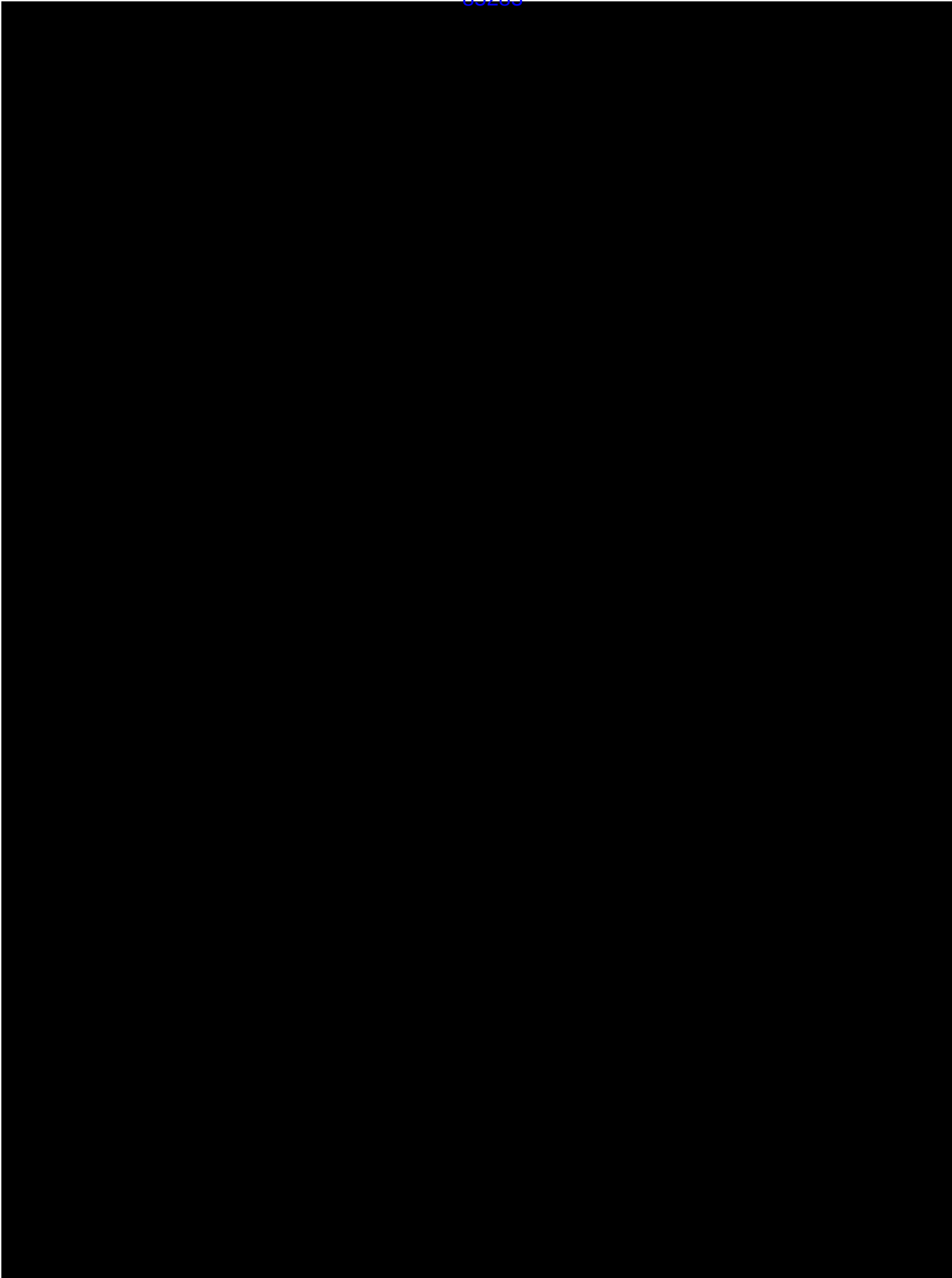
EXHIBIT 100

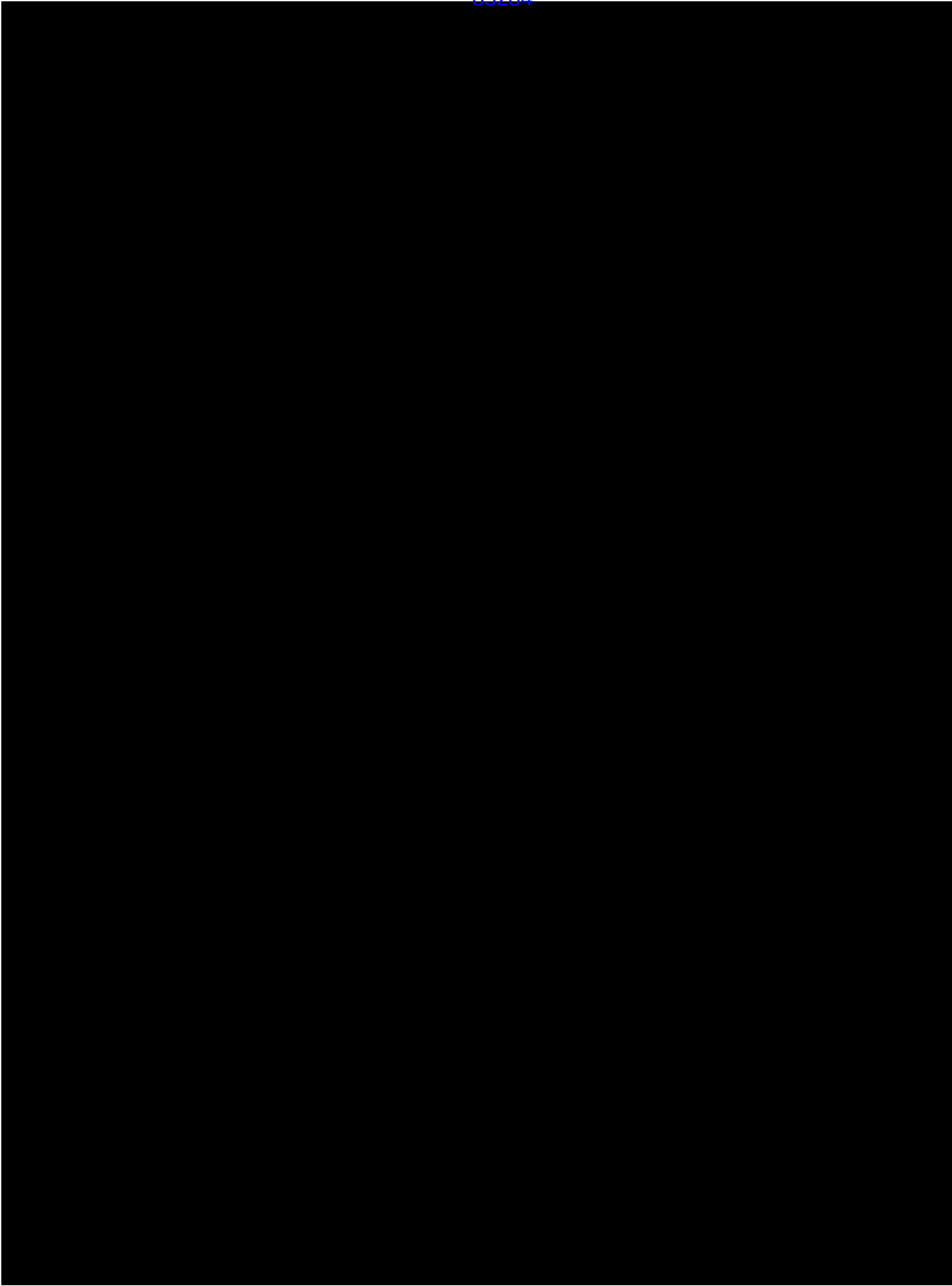


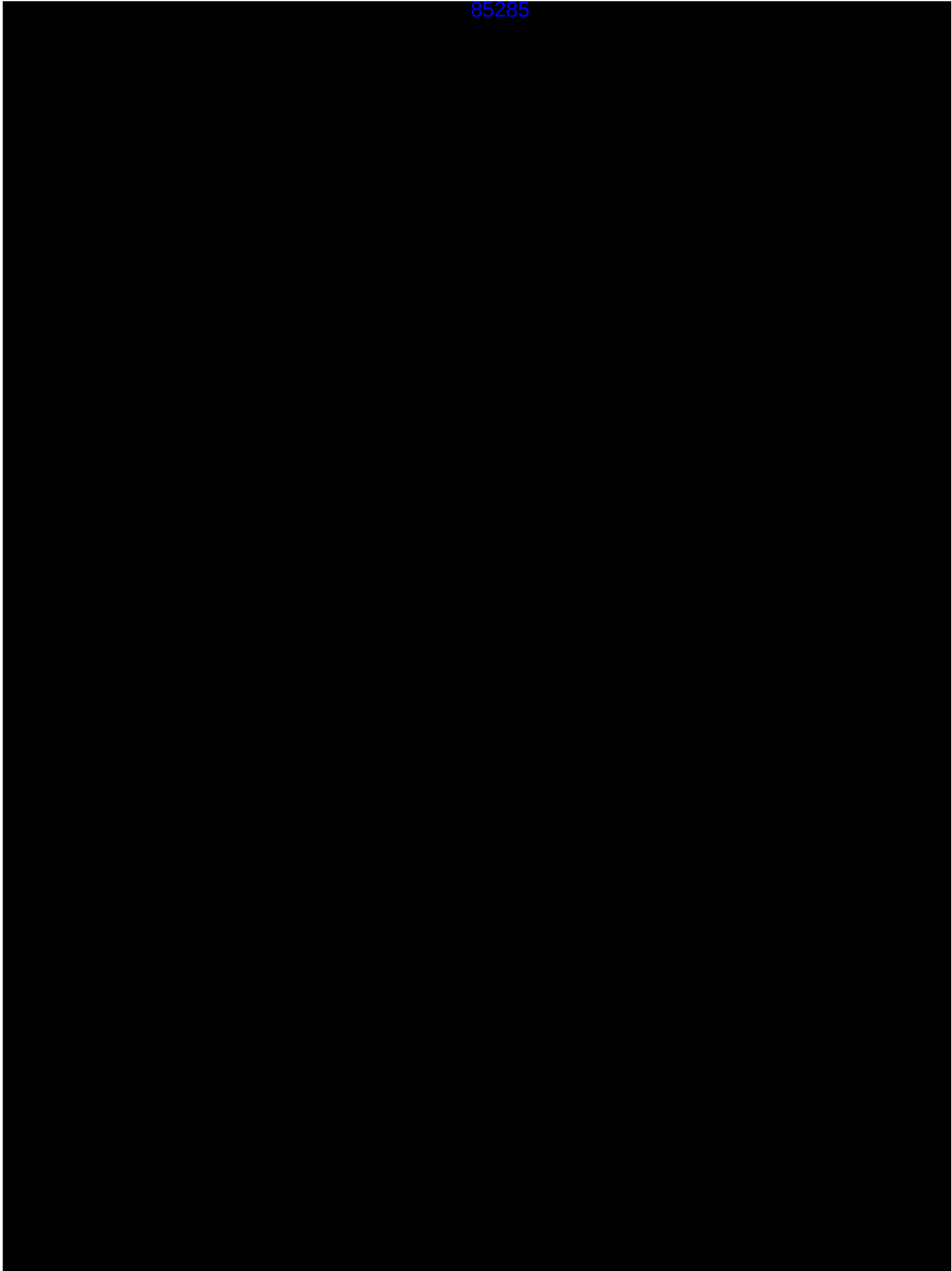


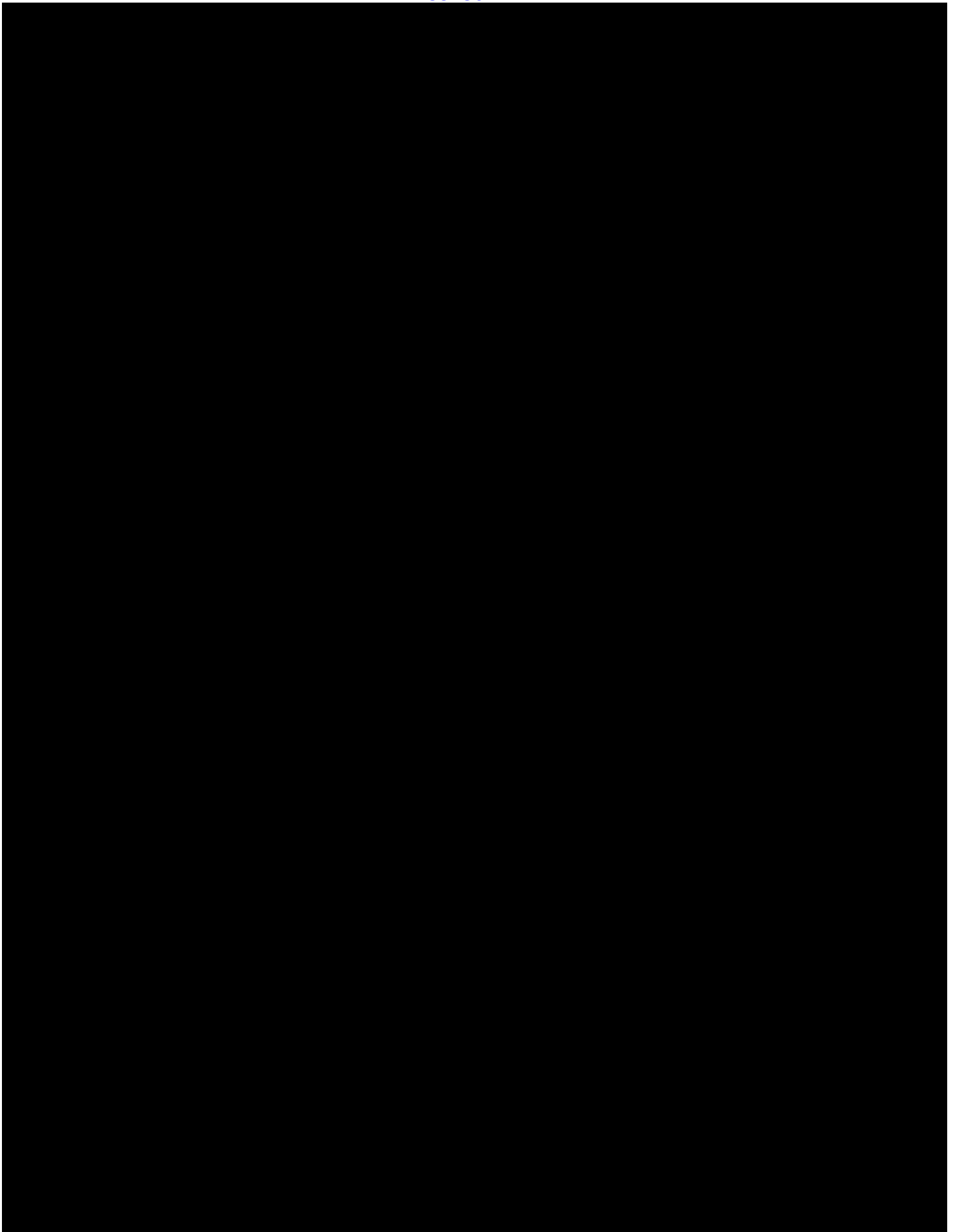


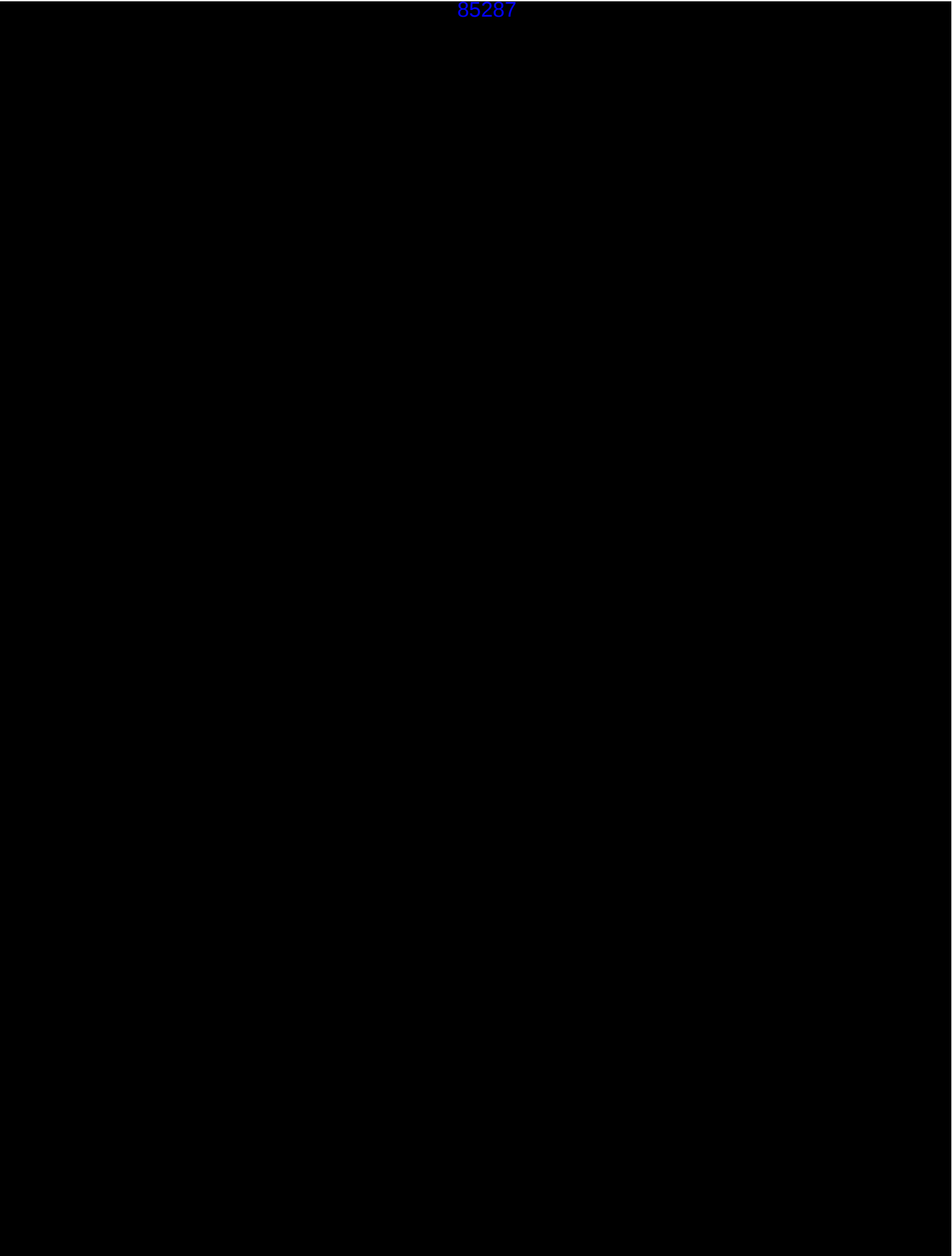


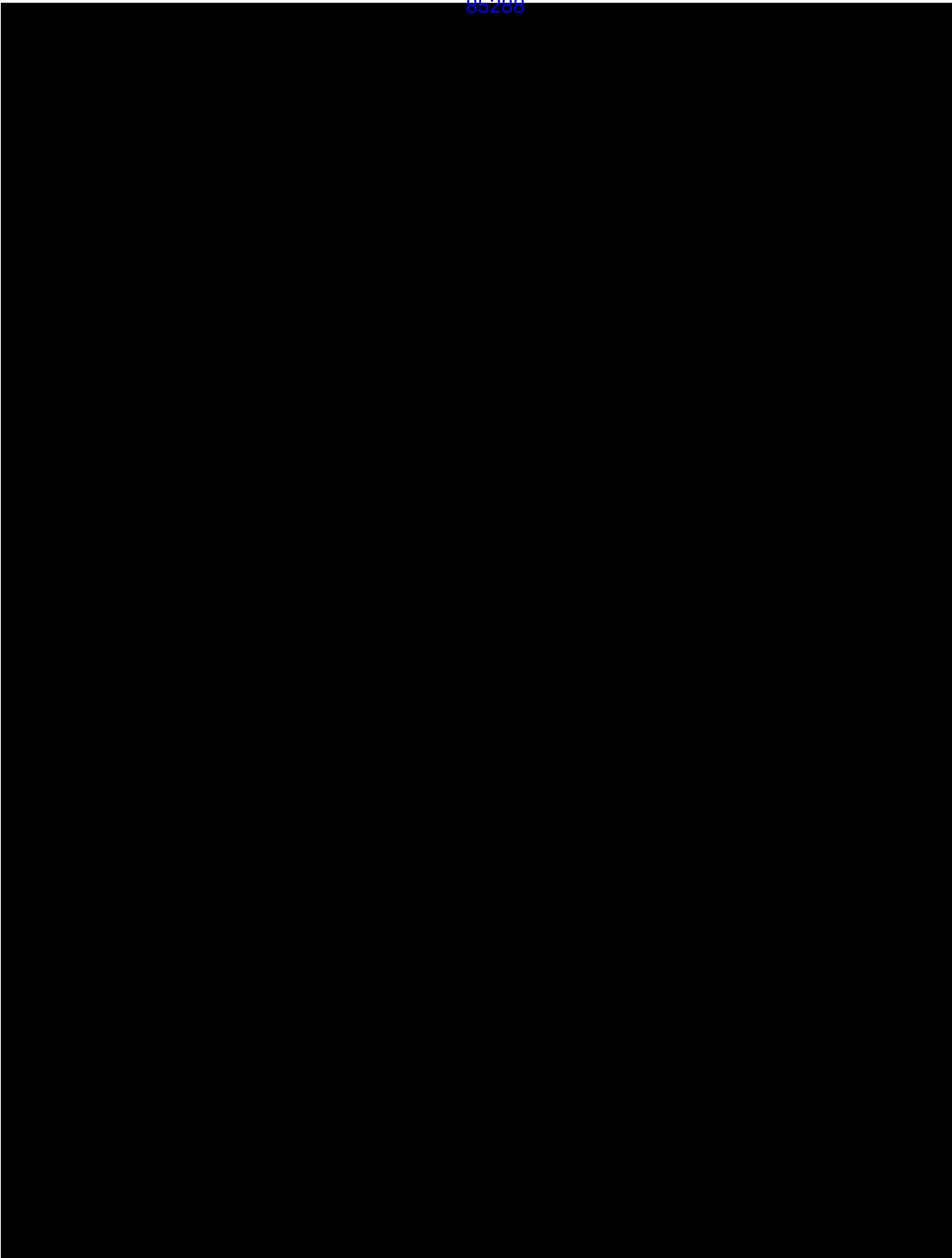


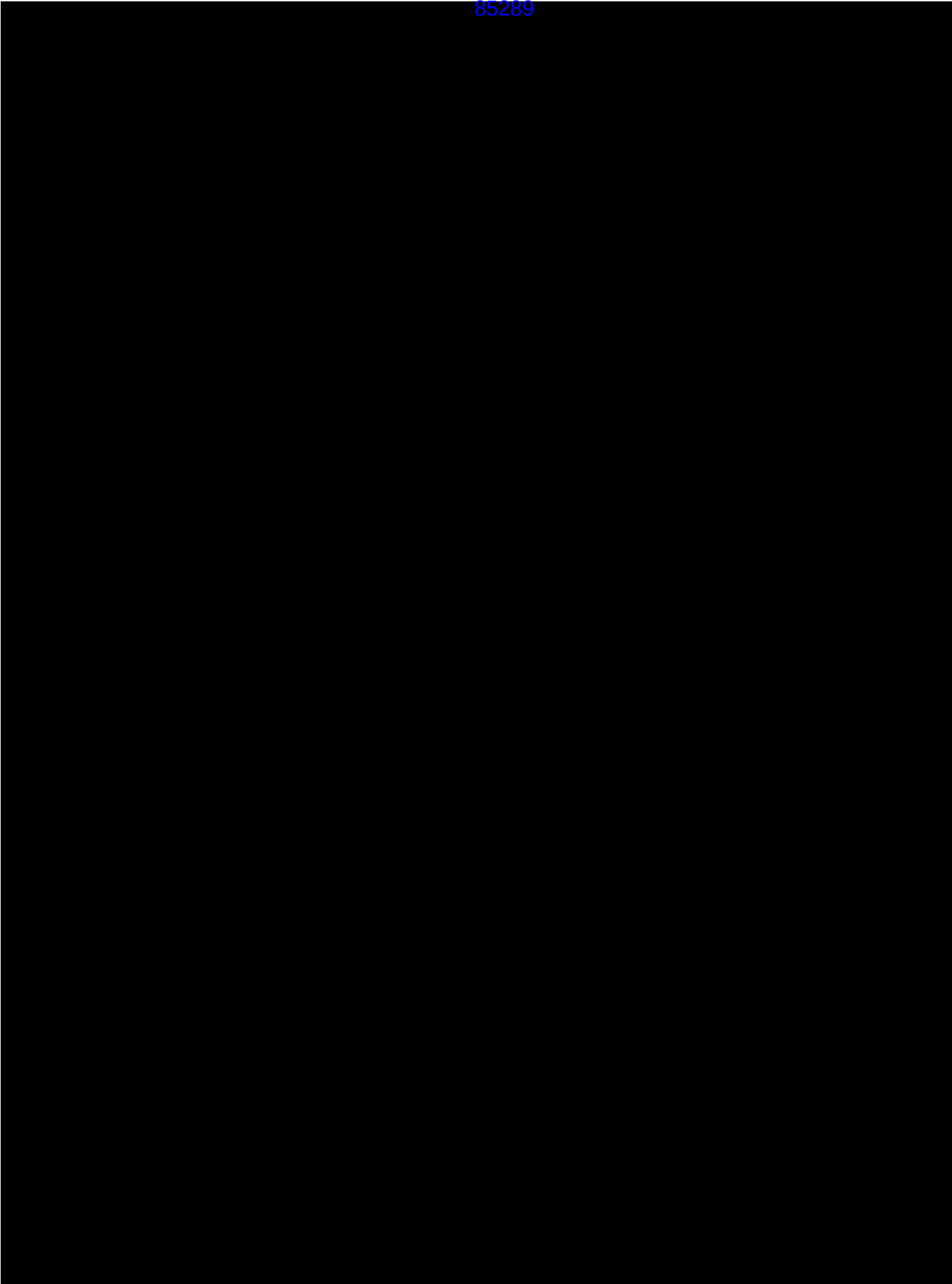


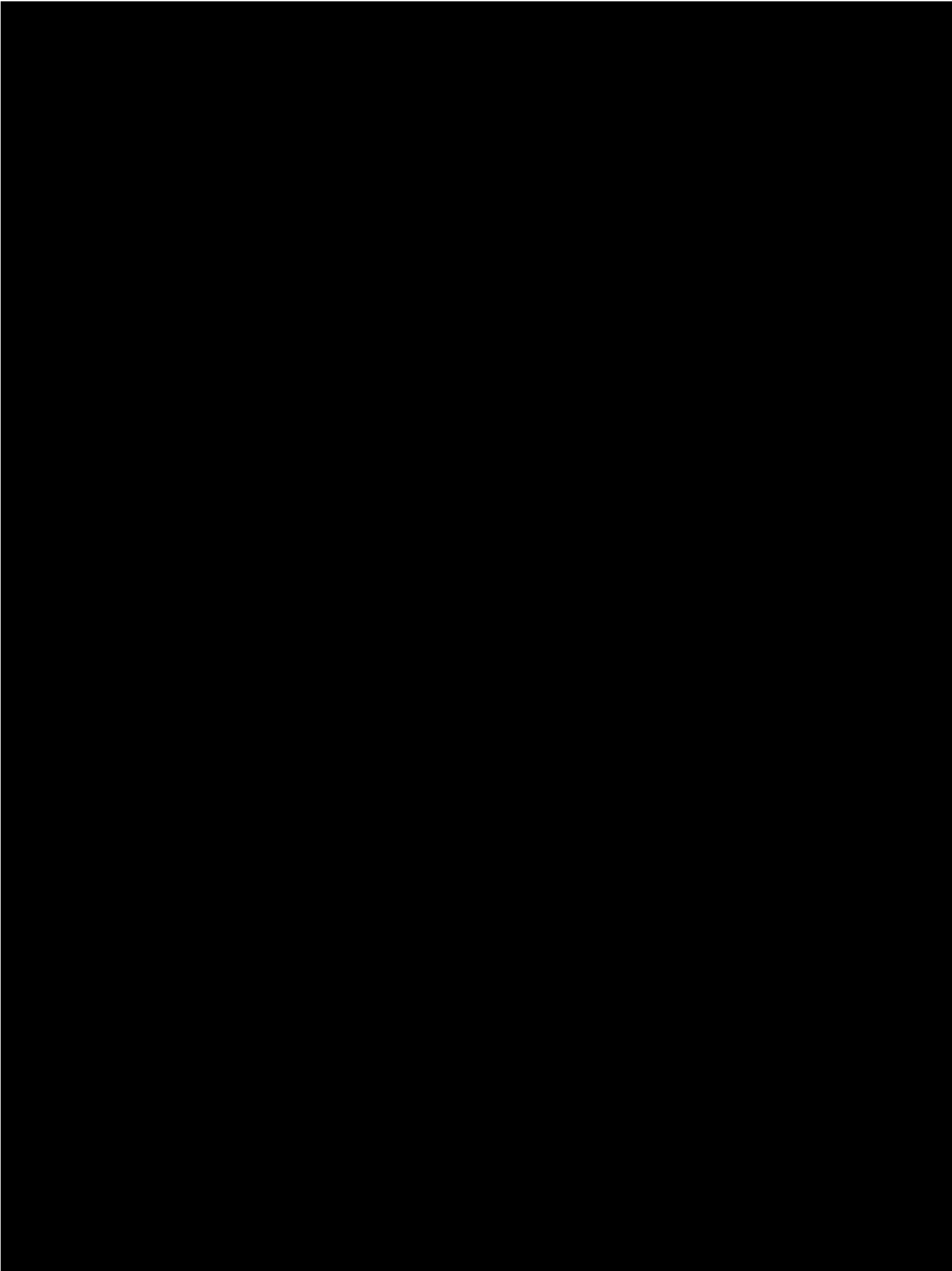


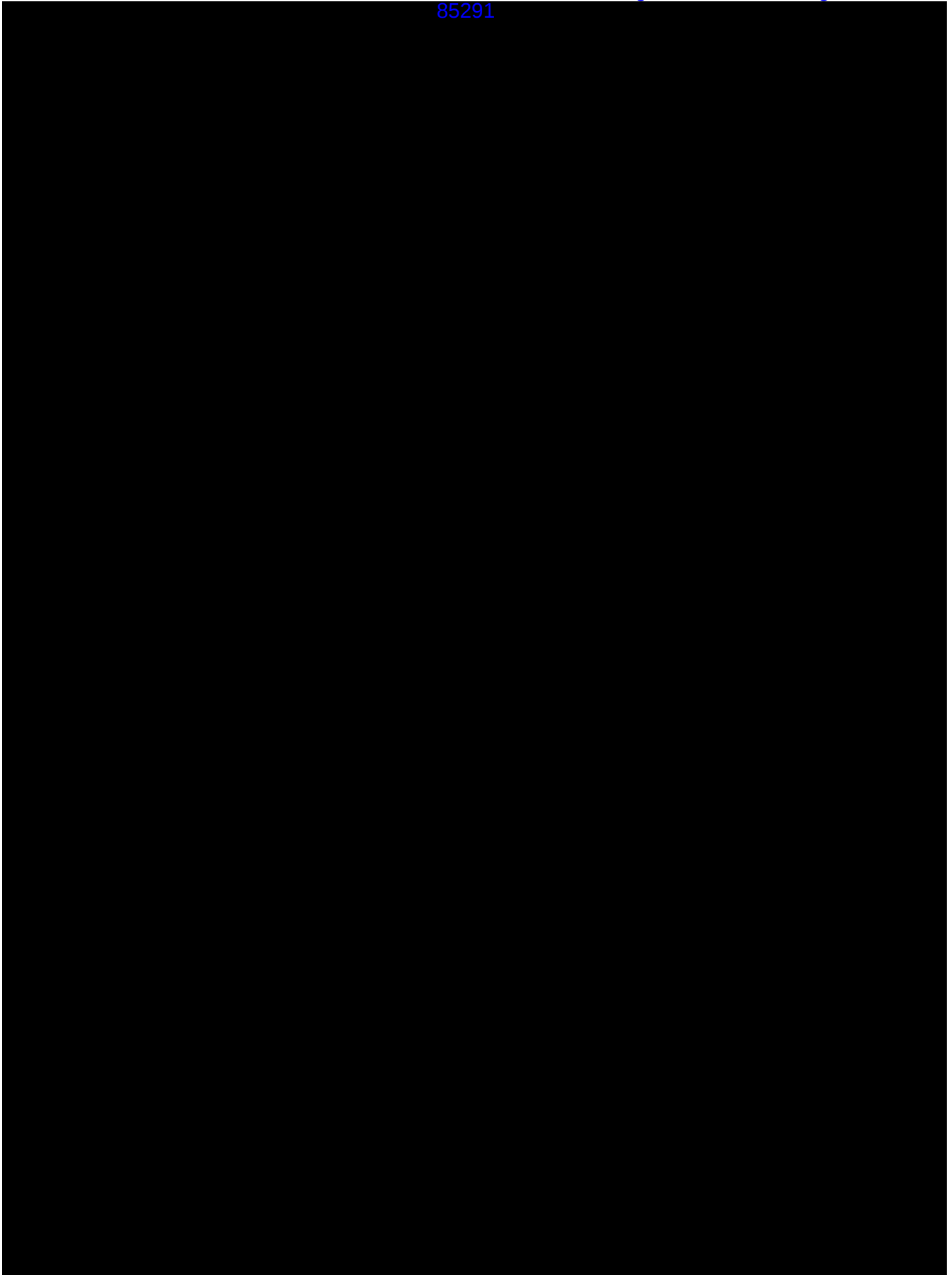


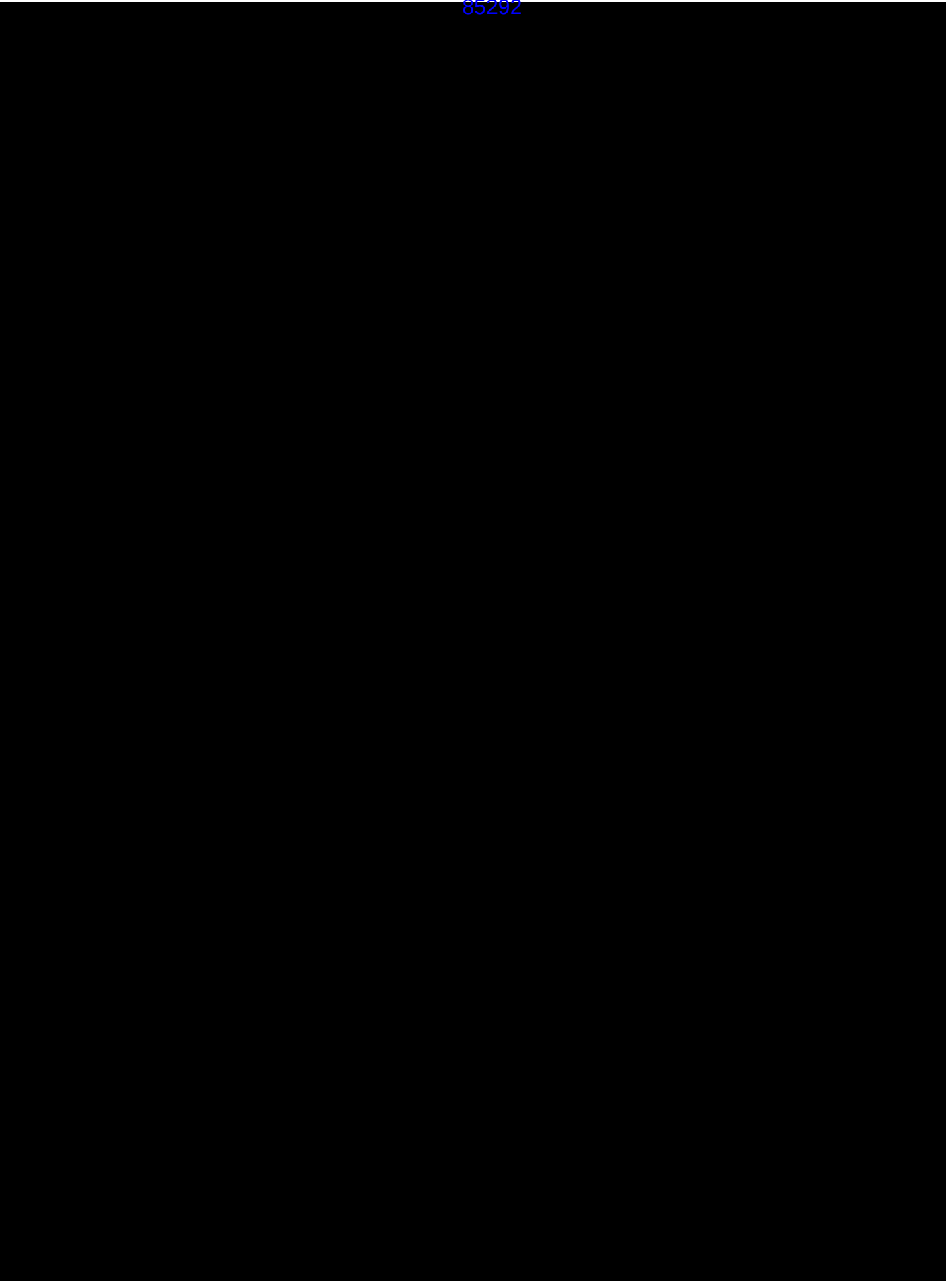


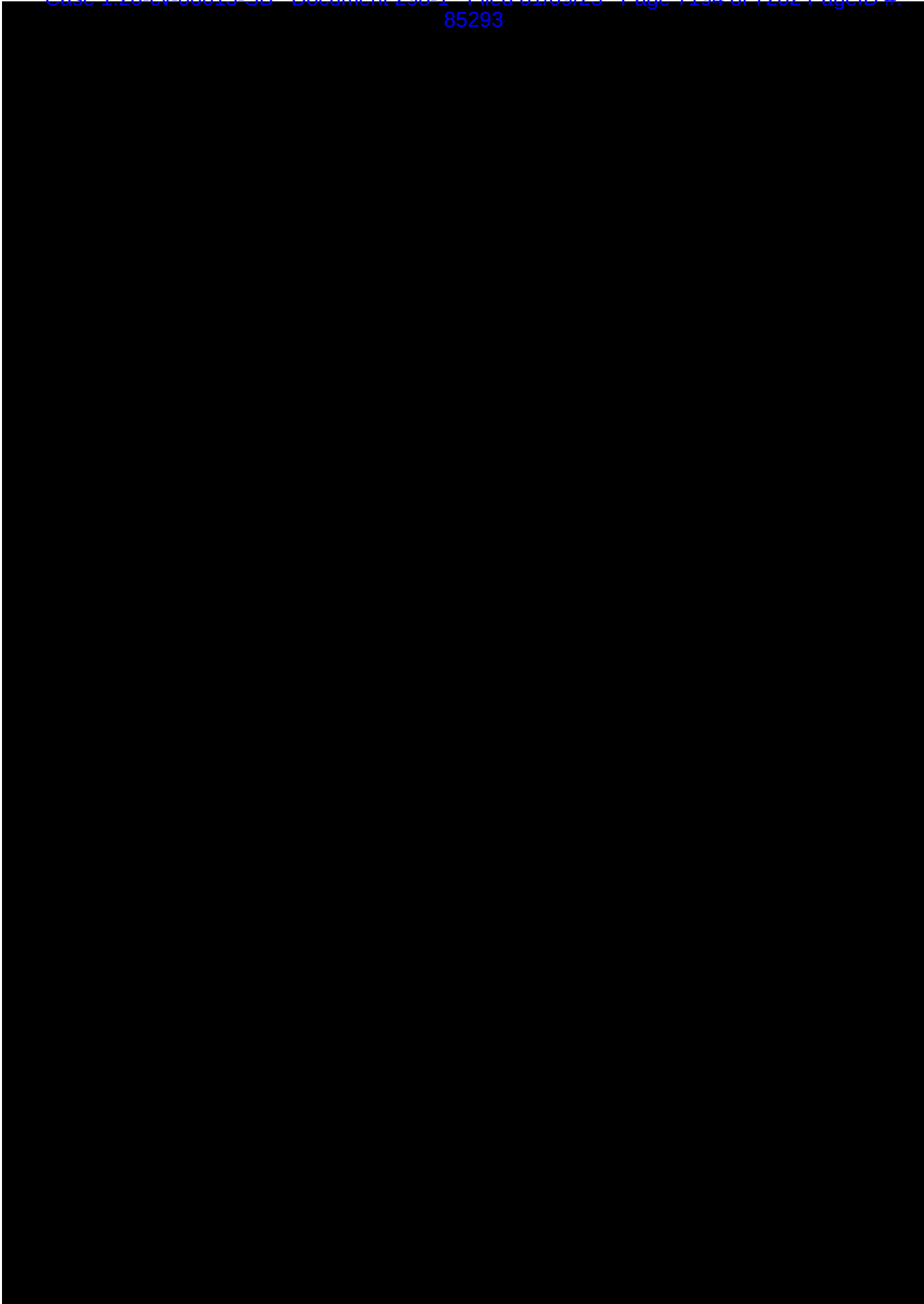


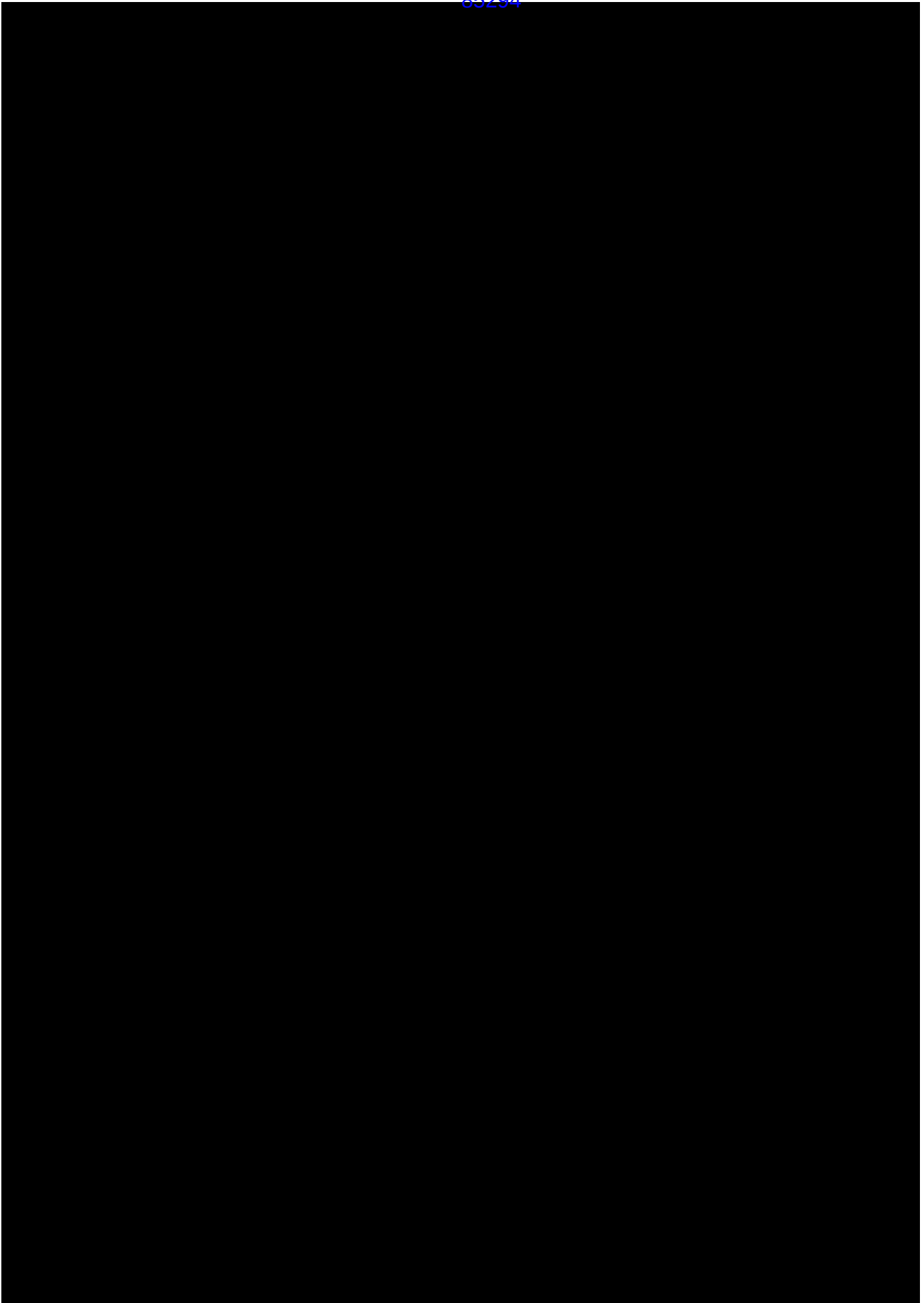


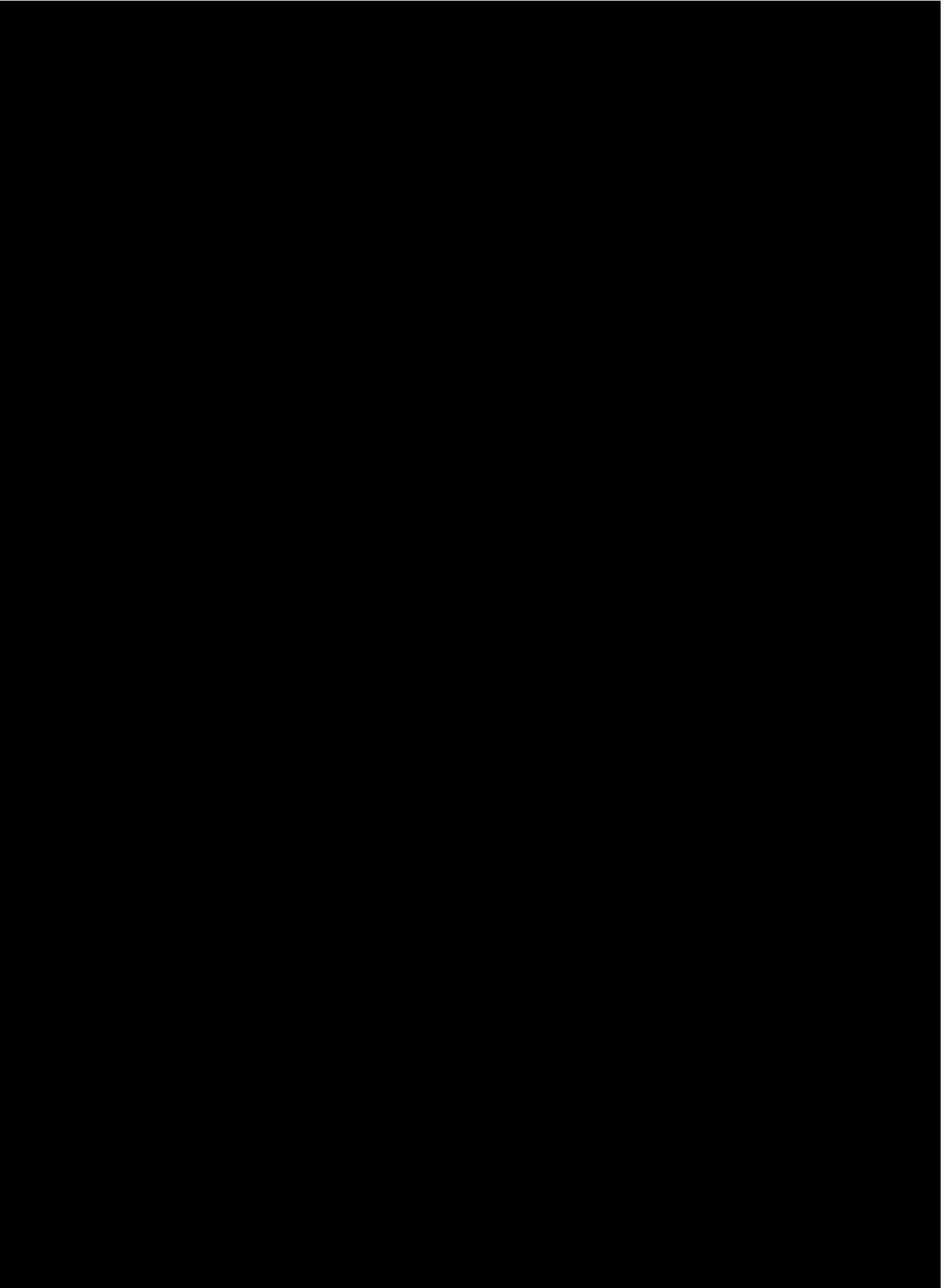


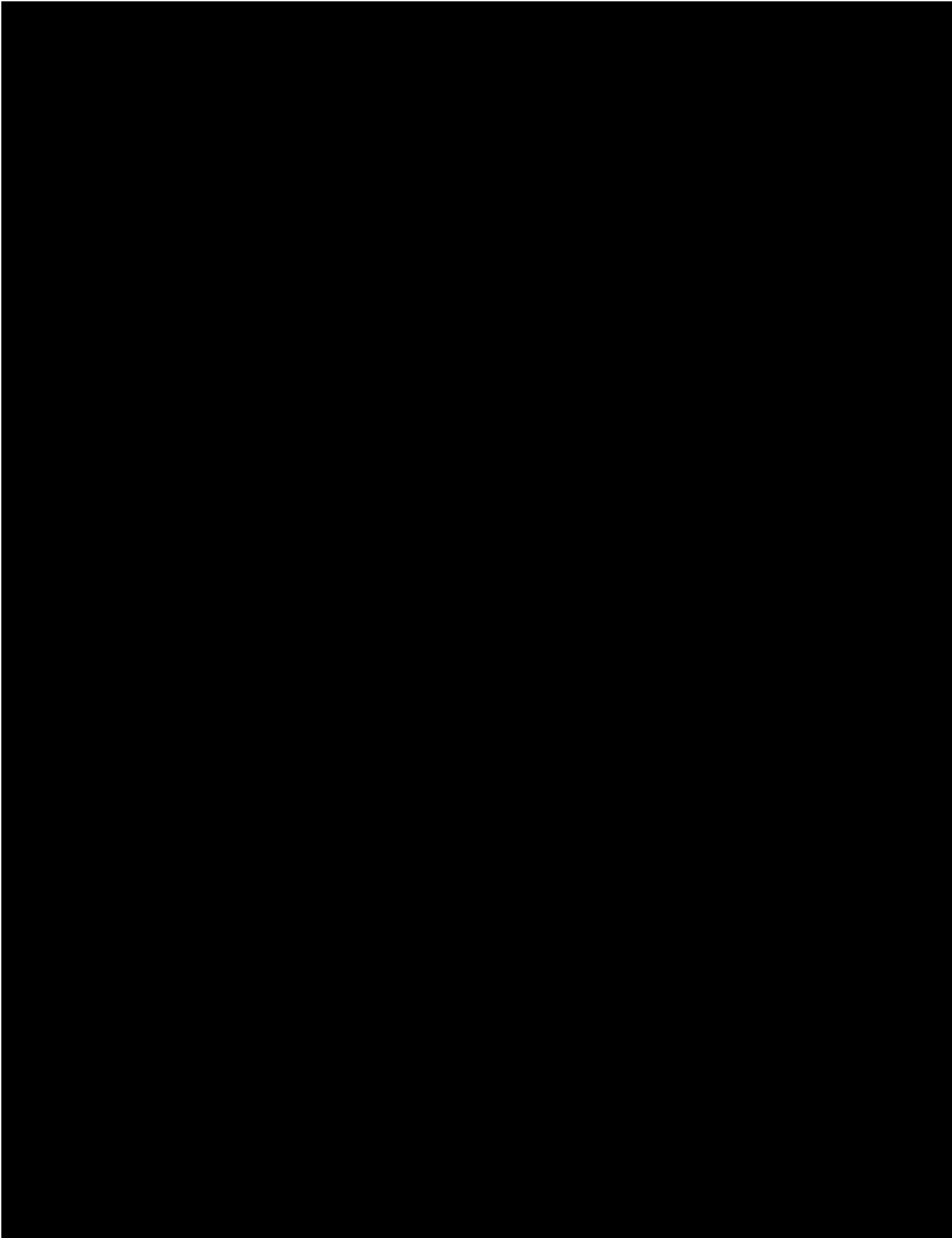












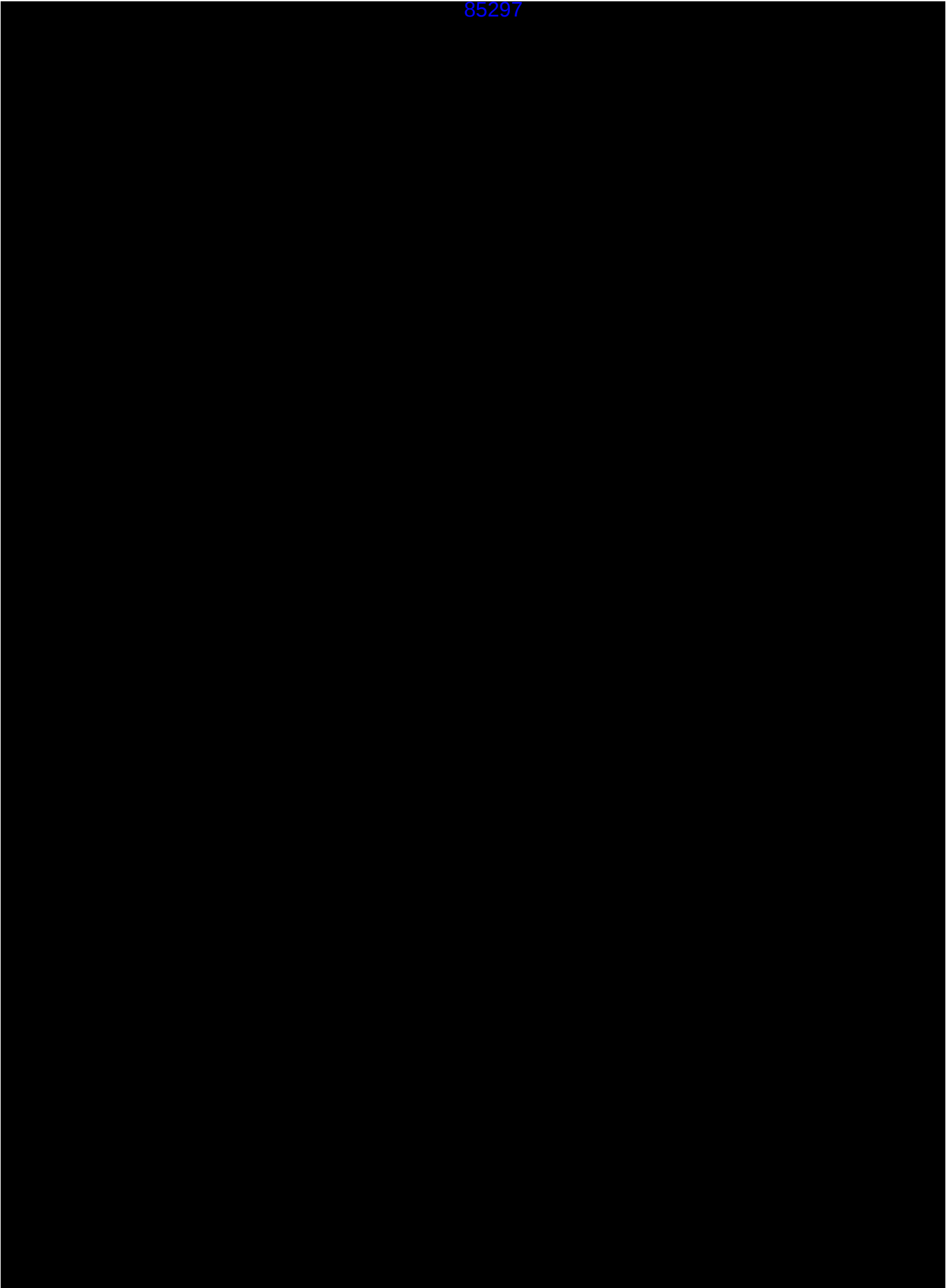


EXHIBIT 101

EXHIBIT 102:

Native Excel to be Lodged with Court

EXHIBIT 103:

Native Excel to be Lodged with Court